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Regional Oral History Office

Earl Warren Oral History Project

BEE PERSPECTIVES OF THE WARREN ERA

Richard Rodda

From the Capitol Press Room

Herbert L. Phillips

Perspective of a Political Reporter

Walter P. Jones

*An Editor's Long Friendship with
Earl Warren*

Interviews Conducted by
Amelia R. Fry
June C. Hogan

Copy No. 1

PREFACE

The Earl Warren Oral History Project, a special project of the Regional Oral History Office, was inaugurated in 1969 to produce tape-recorded interviews with persons prominent in the arenas of politics, governmental administration, and criminal justice during the Warren Era in California. Focusing on the years 1925-1953, the interviews were designed not only to document the life of Chief Justice Warren but to gain new information on the social and political changes of a state in the throes of a depression, then a war, then a postwar boom.

An effort was made to document the most significant events and trends by interviews with key participants who spoke from diverse vantage points. Most were queried on the one or two topics in which they were primarily involved; a few interviewees with special continuity and breadth of experience were asked to discuss a multiplicity of subjects. While the cut-off date of the period studied was October 1953, Earl Warren's departure for the United States Supreme Court, there was no attempt to end an interview perfunctorily when the narrator's account had to go beyond that date in order to complete the topic.

The interviews have stimulated the deposit of Warreniana in the form of papers from friends, aides, and the opposition; government documents; old movie newsreels; video tapes; and photographs. This Earl Warren collection is being added to The Bancroft Library's extensive holdings on twentieth century California politics and history.

The project has been financed by four outright grants from the National Endowment for the Humanities, a one year grant from the California State Legislature through the California Heritage Preservation Commission, and by gifts from local donors which were matched by the Endowment. Contributors include the former law clerks of Chief Justice Earl Warren, the Cortez Society, many long-time supporters of "the Chief," and friends and colleagues of some of the major memoirists in the project. The Roscoe and Margaret Oakes Foundation and the San Francisco Foundation have jointly sponsored the Northern California Negro Political History Series, a unit of the Earl Warren Project.

Particular thanks are due the Friends of The Bancroft Library who were instrumental in raising local funds for matching, who served as custodian for all such funds, and who then supplemented from their own treasury all local contributions on a one-dollar-for-every-three dollars basis.

The Regional Oral History Office was established to tape record autobiographical interviews with persons prominent in the history of California and the West. The Office is under the administrative supervision of James D. Hart, Director of The Bancroft Library.

Amelia R. Fry, Director
Earl Warren Oral History Project

Willa K. Baum, Department Head
Regional Oral History Office

30 June 1976
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EARL WARREN ORAL HISTORY PROJECT
(California, 1926-1953)

Interviews Completed - June 1976

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Langdon Post, James Roosevelt's Northern California Campaign, 1950.

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Regional Oral History Office

Earl Warren Oral History Project

Richard Rodda

FROM THE CAPITOL PRESS ROOM

An Interview Conducted by
Amelia Fry



Richard Rodda

TABLE OF CONTENTS - Richard Rodda

Interview History	i
I STATE FINANCE ISSUES IN THE 1940s	1
Board of Equalization	1
Banking State Funds	6
II GOVERNOR WARREN AND POLITICS	10
Lobbyists	10
Reapportionment	13
Labor's Interests	17
1948 Social Welfare Initiative	18
Varieties of California Conservatives	21
III LEGISLATIVE BATTLES WON AND LOST	26
IV WARREN, 1952 AND 1953	30
INDEX	33

INTERVIEW HISTORY

As the political editor of the three McClatchy Bees, Richard Rodda is an informed Sacramento observer who can comment on nearly any topic of political and governmental interest. When he agreed to be interviewed for the Earl Warren Era in California, both of us realized that the taping could go on for days, and that only his very busy and somewhat unpredictable schedule would furnish limits.

We set a day--January 25, 1972--on which this interviewer would be in Sacramento on research chores and, as our respective schedules turned out, we got together over the tape recorder late in the afternoon. It was a matter of things slowing down enough in the capitol press room to allow Rodda to walk into the lounge at the end of the hall and switch from interviewer to interviewee and from 1972 to a quarter century earlier.

As a commentator he is concerned with being accurate, with making known his personal point of view--a Democrat--and with pulling together related events of which we might not be aware. The day's issues were being noisily debated by groups around the coffee machine, which itself interjected percussive crescendos, but Rodda was able to keep his full attention on our interview and, later, the transcriber to perform an aural miracle.

Exactly two years later to the day--and after many interviews with other memoirists in the Earl Warren series--we sent him a roughly-emended copy of the transcript with added questions, which he duly answered and inserted. In the meantime, although very busy, he had become a willing helper to our staff when advice was needed about the capitol scene or about publicity matters. Plans remain to record more someday, but until then, this stands as an astute, if partial, appraisal of the Earl Warren years in Sacramento.

Amelia R. Fry

28 May 1975
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I STATE FINANCE ISSUES IN THE 1940S
[Date of Interview: January 25, 1972]

Board of Equalization

Fry: There are a number of topics to talk about today. Why don't we start with the Board of Equalization, since that's what we were chatting about while I was getting the machine set up?

From your vantage point as a capitol reporter, why didn't Warren get more involved before 1952 in the problems the board was having with liquor licensing? Bonelli had been there for a long time and, apparently, a lot of people believed he was involved in irregularities.

Rodda: Well, why don't I just discuss that right now. We're on the record now? My feeling is that during the days after the repeal of prohibition, California became one of the wettest states in the country, as far as its liquor laws were concerned. Bars were legalized -- well, you were supposed to have food in them.

So the Board of Equalization, which was under the influence of the late Fred Stewart, a powerhouse in Republican politics in those days, saw an opportunity to take over liquor control.* So they got through legislation giving the State Board of Equalization jurisdiction over the liquor licensing and the collection

*Stewart served on the Board of Equalization for the Second District, 1926-1940; co-author Riley-Stewart Act of 1933 -- instituting sales tax to benefit public education as part of general tax reorganization.



Rodda: of liquor taxes in California. It really had no place with the Board of Equalization; most people felt that way. But Mr. Stewart could see that it was a real source of political power.

Now, he didn't live long enough to get to where he probably wanted to go in politics; he died, I forget what year it was. But at any rate, Mr. William G. Bonelli, who was a former assemblyman and a former Director of Professional and Vocational Standards, got Bonelli who emerged as the self-styled "liquor czar" of California.

Now another man who must be reckoned with in connection with this was Arthur Samish, the liquor lobbyist. He probably had as much influence over the board as Bonelli himself, because, as you remember, the beer industry hired him as their lobbyist, and they set up this five-cent-a-barrel assessment on beer that created this big slush fund that ultimately got him into trouble with the Kefauver Committee and with the legislature over the Lester Velie articles in Collier's magazine.* And ultimately, he went to prison on an income tax evasion charge.

So between Bonelli and Samish, reflecting on those years that start with the first governor after the repeal of prohibition, which would have been James Rolph's administration -- Rolph died in '34, and repeal occurred in '33. Well, let's say, starting with Governor Frank Merriam, and going through Governor Olson and then Warren; it seems to me that Mr. Samish and Mr. Bonelli had more power in that field than the governor.

My feeling is that Governor Warren just sort of kept hands off. It was a kind of a sticky business, you know, kind of a dirty mess all through those years. And I think Warren -- why I don't know -- but he seldom got involved in the various stories that developed on liquor licensing. The sale of licenses. It was later on, when the Kefauver Committee became active and Attorney

*August 13 and 20, 1949.

Rodda: General Brown became active, that investigations were begun about the transfer of liquor licenses and the alleged taking of money under the table.

As you know, the strategy worked this way: the board itself decided -- you can't read people's minds -- but it looks to me like Mr. Bonelli and some of the other members of the board got together and decided, "Well, these licenses are valuable pieces of paper. Now, the way to make them more valuable is to limit the quantity." And so they put through a board policy limiting them on a population basis of one license per one thousand, for on sale general and off sale general. (That's the license for distilled spirits. When we talk about the valuable license, we're talking about the license for distilled spirits.)

So they adopted this as the board policy. Then it started to work so well, and licenses became so valuable, that somewhere along the line, they decided that it ought to be on the statutes, so they got a bill passed in the legislature making it a state law that you could only issue so many licenses, on a population basis. And then they put a new wrinkle in the law that every time there was a special census you could issue a few licenses on the basis of population growth. So that there was always a mad scramble for those new licenses. And while they were issued on the basis of a set fee -- I think the cost was \$580 -- the minute you got one for \$580, it was immediately worth \$10 or \$15 thousand if you could turn right around and sell it to somebody.

So Bonelli was issuing these licenses to his political cronies, who had no intention of going into the liquor business, and who would turn right around and transfer it to somebody who had the money to put into Bonelli's campaign or pay off the fellow who originally got the license. So there were all kinds of shenanigans going on.

It seemed to me that Earl Warren more or less closed his eyes to that. Well, it's hard to say. I have a very high regard for Warren both as an attorney general and as a governor, but particularly as United States Chief Justice. You know, I think he's one of the greatest men in the United States today. But I do have the feeling that he more or less closed his eyes to

Rodda: that liquor problem. I think he just may not have wanted to get involved. At the time, we would check into his campaign receipts, and my vague recollection is that there was never any evidence that the liquor industry was pouring large amounts of money into his campaign. He did say at the time that Samish was exposed in these articles in Collier's,* he did say -- at a press conference -- that in matters concerning Samish's clients, Samish had more power than the governor. You know, it may have been that he might have tried to clean it up and got his fingers burned so badly he just gave up. I'm just speculating now. I have nothing to go on.

Fry: The Crime Commission had some recommendations in '53. Was it effective?

Rodda: I cannot recall any legislative programs resulting directly from the Crime Commission reports. But I believe the Commission had a salutary effect. Its investigations occurred at the time the Kefauver U.S. Senate committee was active. These activities had an impact of serving notice the underworld was not welcome in California. Attorney General Younger has long claimed organized crime does not have a stranglehold in this state. I think the Crime Commission and the Kefauver work deserve some of the credit.

Fry: I'm going to be interviewing former Controller Tom Kuchel about the Board of Equalization. I wonder if you know of anything specific that I could ask him on liquor licensing graft. I would expect Warren to have handled this by appointing a man as Controller and saying, "Would you please see that this liquor licensing business is cleaned up?" As far as I know that never happened -- ?

Rodda: No. No. Kuchel, as I recall, never exerted any real leadership on the four elected officials to that board, and the four elected officials usually had large support from the liquor industry: Bonelli; George R. Reilly; Richard E. Collins of Redding from the third district -- later that was Jerry Seawell; and James H. Quinn from the second district, after Stewart.

*Ibid.

Rodda: I can tell you a little anecdote about one of the board members, Jerrold Seawell. My father, who was in county government here as a county auditor, told me of an incident where some people who lived over on the coast were not paying their county taxes. I can't recall the details, but they were trying to beat the county out of some taxes, and I remember my father telling me how he took a trip over to Mendocino County someplace and confronted them. He told me this story, and he told me in such a way that I remembered the name. I was satisfied with the way my father told me the story, that these people were unsavory characters. They were cheating the county, and cheating business people and so forth.

I remember that I used to cover the board for the newspaper, and I would see the weekly calendar of applicants for liquor licenses, and about a year later I saw this name, and it rang a bell. I copied down the address and the location and I checked with my father. I said, "Is that the party?" He said, "Yes, yes. Oh yes." And he told me all about it again.

So I made it a point -- I don't usually try to stick my nose into other people's business -- but I made it a point to call on Mr. Seawell to tell him about this party. And so he said, "Well, if that's what kind of characters they are, they won't get the license." And so the license was denied at that particular meeting. The board always operated on the basis that each member set policy in his own district, and if Seawell said, "No," on a license the other three would go along. And so it was denied. About a year later, it was on the calendar again, and it was granted.

I, for some reason or other -- I suppose this was maybe my own failing, lack of courage or something -- I never did ask Mr. Seawell why, a year later, they were able to get it. But I always had a feeling, you know, a feeling in my own mind, that they had done something politically, made some payment to somebody, somehow or other, so that they got the license. Maybe they had been rehabilitated. I don't know. But I had my strong doubts. Now that's just one little thing.

Fry: What was the connection between Bonelli and Samish? Do you think they worked together, or were they competitors of sorts, for the liquor industry money and influence?



Rodda: Well, I kind of think that they were more or less working together. Only they kind of put on a show of competition. Because the same people who were close to Samish were close to Bonelli. I used to see them in the Board of Equalization meetings, and the same people who were palsy-walsy with Samish were palsy-walsy with Bonelli. There again it is only an impression that I formed. Because I used to see a fellow named Bernard Calhoun. He's dead, but he represented some major distillers or wholesalers or something or other. I think he worked hand in glove with Bonelli and Samish. There again, I can't prove anything, but --

Fry: Most of these people would be the distillers?

Rodda: Well, Samish represented the brewers, and Samish represented some of the distillers. I think Schenley was his big account. And then of course -- he didn't have too much to do with wine.

Jeff Peyser, who is still attorney for the Wine Institute still represents the wine industry here, as a lobbyist. The wine industry sort of kept its skirts cleaner than beer and distilled spirits.

Banking State Funds

Fry: Was there a recommendation at one time by Alan Post, that the positions of state treasurer and controller both be abolished?

Rodda: Yes, that rings a bell. Yes. And I think there's justification for that. The office of state treasurer and the controller are both just ministerial offices. They don't make policy. Now, I think that perhaps, with the controller, there might be more justification for an independent controller, because of his auditing functions. So if the governor controls the controller's office by appointment, why, who's going to audit the agencies under the control of the governor? But I think the treasurer doesn't have to be an elective office.

Fry: Well, I think he was just going to abolish it altogether.

Fry: For one thing, the treasurer's practice of depositing state money and bonds in selected banks with very little interest accruing on them: I wonder if that was one of Post's reasons at that time.

s

Rodda: Well, you know, there developed a major scandal over the treasurer, but this was after Warren's time. This was during Knight's administration.

Fry: Oh?

Rodda: And you know, the whole story came out of how the treasurer, Charles G. Johnson, was depositing monies in banks, interest-free, and in return he was borrowing money from banks, and he was not paying it back. The banks didn't press him to pay it back. Thousands of dollars. He was very corrupt. He finally resigned, and he died a very discredited public official after years of respected service. Everybody held him in high esteem, and all of a sudden this scandal broke. You've got to give Knight credit. Goodwin Knight was a Republican governor, Johnson was a Republican treasurer and had all this influence in the Republican party, and yet Goody Knight turned his sleuths loose on Johnson and forced him to resign. I was in on that from the very start. Oh, that was quite a scandal.

And I think the banks were equally guilty. They would lend him money and not require collateral. They lend you and me money, and they take our right arms as collateral and then hound us until we pay it all back. Well, they didn't take any collateral from Johnson, and they apparently didn't even make an effort to collect the loans. But you see, they were making millions from these state deposits. Now as a result of that scandal, there was created the Pooled Money Investment Board, so now -- . This board, as I recall, is composed of the treasurer and the director of finance and the controller, who set the policy on how much money is going to be deposited, and whether it's a six-month deposit, or a thirty-day deposit, or just a regular checking account, or what. And they're supposed to deposit that money in the interest of the State, so that the State will get its maximum return on the deposit of the money.

Well, now, Gus Johnson didn't care. He was just interested in Gus Johnson.

Fry: Was this going on during the Warren administration, do you think?

Rodda: Well, of course, it was going on under Warren, and I think it was going on long before Warren. It was going on -- you see, this Gus Johnson was in office from the mid-twenties.

Fry: That's what I was going to say. Someone told me it was going on in the twenties, also.

Rodda: Yes. And Knight was the one who blew the whistle. Now Knight blew the whistle because -- well, I think the thing that triggered it was that Gus Johnson's son was working for him, and he was manipulating his personal money in a state account, or something, and kiting checks or something or other, and there was some comingling of funds. And the department of finance auditors caught it. And when they caught it, it opened up this big can of worms. Now, it may be that everything had been open and above-board as far as the books and auditors were concerned, through these years, but this --

Fry: Yes. Without the addition of his personal loans --

Rodda: There would be no state record of Johnson borrowing this money and not paying it back. That would be the bank record. Now the bank auditors -- must have shown these as uncollectable loans.

Fry: Yes. Someone would have to put them both together. But the bankers were bound to have known.

Rodda: Right. And all the big banks were involved, you know. They still wield a lot of power around here.

Fry: But there again, why didn't Earl Warren come crashing down on this, as he had done on so many other corrupt practices when he was attorney general and district attorney?

Rodda: Yes. Well, it's hard to say. I think if Earl Warren had real good evidence of corruption, as governor, I think he would have pursued it just as he did when he was attorney general and when he was district attorney of Alameda County. But I think he was more or less preoccupied as governor in legislative matters and national political matters, and it may be that he -- oh,

Rodda: you know, I'm just guessing -- he may have felt that the governor is not a prosecutor; it's up to the attorney general. He did have a very bad attorney general at one time, Fred Howser. He was involved in a scandal.

Fry: Warren came cracking down on him.

Rodda: Yes. He did. Right. He was a no-good character, that guy.

Fry: That was when the crime commission was the instrument Warren used.

Rodda: Oh yes, that's right.

Fry: Why didn't the crime commission take on the Bonelli thing and the treasurer's office?

Rodda: I'd like to read that crime commission report.

Fry: We're going to talk to Warren Olney. That will be a good question, I think, to ask him.

Rodda: Yes. That crime commission, I thought, turned out an outstanding report. The details escape me.

Fry: They had several reports, and recommended that liquor control be transferred "to some agency more suitable."

Rodda: Yes. They went into a lot of facets of crime in California, and of course you have to give Warren credit. He appointed that commission and he told them to go to work.

Incidentally, Warren Olney's son works here in the capitol now as a television reporter. He's a fine young man.

Fry: We're finding that working with his father is a marvelous experience, because he's so meticulous. He's done endless amounts of research for his interviews, so we've really got ourselves a gem there.



II GOVERNOR WARREN AND POLITICS

Lobbyists

Fry: The other things that I've jotted down that you might want to talk about follow directly on the heels of this: What was Warren's relationship to the lobbying community in general? There isn't much about that on the record. When the lid finally blew on Samish, which was pretty late in Warren's career as governor, then he became involved.

Rodda: Yes. Well, he tangled with the medical lobby on his health insurance, and he tangled with the highway lobby and the oil lobby on his highway program.

Fry: Was that a combination of oil and truckers?

Rodda: Yes. Yes. That was what we now refer to as the "freeway lobby." That's the concrete boys, and the oil industry, and the contractors that build highways. All of them together. They form this super-colossal lobby. I read these deficiency reports about our highways, that come out every so often, and they talk about how we've got to have a freeway. I'll give you a ridiculous example: we've got to have a freeway from here [the capitol] out to the river, or something like that, you know. And I tell them, "Until California is paved from the Oregon border to the Mexican border, and from the ocean to the Sierras, there will always be highway deficiencies" -- in the opinion of these highway people, you know.

Fry: And the Automobile Club.

Rodda: Oh yes. They're part of it. Yes.

Oh, they all have a neat little club that they call the Advisory Committee on Motor Vehicle Legislation. I got in on a committee meeting one time when I wasn't supposed to, and they were talking about it, you know, what legislation they were going to introduce. And here this whole gang was. They make it sound like some "civic committee," you know. It's a phony name. But they're all special interest people. All they're interested in is building more and bigger freeways.

Fry: Do you think that these lobbies affected Warren's campaign very much? In other words, as they became disenchanted with him, do you think they seriously hampered his success at the polls?

Rodda: Well, you know, twice conservative candidates tested the political waters to see if they could take on Warren. He was elected in '42. In '46, Earl Lee Kelly, who was a big banker in Sacramento, decided that he was going to challenge Warren. He went out and made a few speeches. But he found it was a lost cause, and of course Warren won a double nomination in 1946.

Then later on, Lieutenant Governor Knight was going to take him on in '50. Yes. And he made the same foray out in the hinterlands, you know. And he got beat down. He was a real conservative then. And so he knew he didn't have a chance.

So I think, in the case of Knight and in the case of Earl Lee Kelly, some of the special interests that Warren had stepped on certainly were encouraging them to go out and seek the nomination.

And then of course there was Tom Werdel, who challenged him in the 1952 presidential primaries and got badly defeated.

Fry: Were these candidates basing their hopes on scooping up some of the support from the oil people and doctors -- ?

Rodda: Yes. It's just speculation on my part, but recalling the political climate of the day, why, Warren was hated by the medical lobby, and after the '47 highway fight, he was hated by the highway interests. It's just logic that they were encouraged by these people to take on Earl Warren. But Warren always had strong bipartisan support in the legislature. As a matter of fact, he had more Democratic support in the legislature than he



Rodda: had Republican support, on a number of issues. He just played this bipartisan, or this nonpartisan, role to the hilt. It really caught on in California.

Fry: You became a reporter at the State house in 1943, the same year Warren became governor. What kind of pre-conceived ideas did you have of Warren when you first came?

Rodda: When I first came?

Fry: I wondered if this changed?

Rodda: Well, it has changed. Well, I have to say that for myself, I am a Democrat. I had a notion that Warren was owned body and soul by the Knowlands, who published the conservative Oakland Tribune. That was the impression I had as a younger man, and the Oakland Tribune did promote him. I think he concedes that the Oakland Tribune made him, as district attorney in Alameda county, and that gave him a base on which to run for attorney general, so he owed a lot to the Oakland Tribune. So I had the feeling that he must be a very reactionary, conservative governor. But he surprised me, after he had gotten into office. And he surprised me even much more after he became United States Chief Justice. I've grown to admire him. My admiration for him seems to grow all the time. But as I say, particularly when he became Chief Justice.

I remember one time though, I thought he was a little bit ill at ease or awkward at the press conference when he announced he was appointing Bill Knowland to the United States Senate, after the war and there was a vacancy there.

Fry: Hiram Johnson died.

Rodda: Yes, that was the vacancy. So Warren announced that he was going to appoint Bill Knowland, and he seemed to go out of his way to rationalize how he came to the decision that Bill Knowland was the only man for that job. Well, everybody knew that it was a political debt to the Knowland family -- what we all said to ourselves, you know. But there was nothing wrong about it. I think if I were in the governor's shoes, I would have done the same thing. But I think over

Rodda: the years they drifted apart.

This is another story that doesn't involve Warren. It involves Knowland and Pat Brown. You know, Knowland is a real political animal, and so is Pat Brown. (Well, they all are.) But I'll never forget: I was down at the airport welcoming Brown home from the European vacation --

Fry: This was when Brown was governor?

Rodda: When he was governor. And Knowland was no longer Senator; Knowland had been beaten by Brown, and you'd have thought they wouldn't even speak to each other hardly. And here was this crowd, milling around Governor Brown, as he and his wife stepped off the plane. Knowland just happened to be there to greet his assistant, Paul Manolis, you know, who was coming in off the same plane. And Bill Knowland just clawed his way over to get to Pat Brown, and shook his hand, and embraced him. They had one thing in common: they were both politicians; one might be a Democrat and one might be a Republican. But you don't find that around here, say, with Reagan! He's stand-offish, with Brown, with Unruh, and so forth.

But it just opened my eyes. There was Bill Knowland -- . And my respect for Bill Knowland went up when I saw him express this affection for Pat Brown as a man.

Fry: Well, he was also a newspaper publisher then, and Brown was the governor. There's a symbiotic relationship there! [Laughter]

Rodda: Yes. That's right. Yes.

Reapportionment

Fry: Do you remember the reapportionment --

Rodda: In '51 and '61? Yes.

Fry: Yes. Especially '48 I'm interested in. Let me get the sheet of notes out. In '48 there was a bill up to have a one-man-one-vote senate in California.



Rodda: Yes. Yes.

Fry: And it was a labor bill. According to my notes here, the chambers of commerce and the farm associations and all the cow county politicians, and Earl Warren, were against it.

Rodda: That's right. That's right.

Fry: Since you were attending press conferences and so forth in those days, do you remember why Warren didn't want that? It directly opposes his later vote on the Supreme Court.

Rodda: Yes. That's right. As a matter of fact, after the one-man-one-vote decisions came out on the Supreme Court, I recalled his attitude back in '48, so I dug into the record of the time, and I wrote a column comparing Warren, you know, contradicting himself. Quoting him in 1948 and quoting him again, out of his opinion, in 1964. Yes. I had a little fun with that. He was just the opposite. In 1948 he went for all these arguments about checks and balances, and how the rural people had to have a voice in the legislature, and the only way they could have a voice was on a geographical basis. And he bought all those arguments at that time.

And then he got to Washington -- I think the man grew with the job. He saw it differently on the Supreme Court, and he was wearing a different hat, and so different words came out of his mouth.

Fry: And then in '51 --

Rodda: The '51 census.

Fry: Laughlin E. Waters of Los Angeles was head of the assembly committee on reapportionment, and Dr. Ivan Henderaker, who was a political science professor, was the technical person on it.

Rodda: I don't remember him, but I remember Loch Waters. Laughlin Waters, but we called him Loch Waters. I'm still a good friend of his. He was a real good, moderate liberal Republican. There are too few of them, but he was one of them. He was chairman of that committee, and he handled the reapportionment bill that went through.



Fry: Did the one-man-one-vote thing come up very seriously in '51?

Rodda: No. No, oh no.

Fry: It was just reorganizing along party lines?

Rodda: Yes. The Republicans were in power and --

[Interruption]

Rodda: Well, I was talking about Loch Waters, and you know he was a fine guy. But the Republicans were in control, and the Republicans had Warren in the governor's office, so they just carved up the state on a partisan, out-and-out partisan, basis. The result was that in the '52 election, it paid off, because they increased their strength in both houses. Now I recall that there were some very unusually shaped districts. You remember, Sam Yorty was then a Congressman in Los Angeles County in the 26th District, and he was quite unhappy. Warren had a hearing, and Yorty appeared, and I covered the hearing, I remember.

Fry: He was unhappy with the way his district --

Rodda: With the way his district had been carved up. It rambled all over. He had an outline of it, and he said it looked like "a dog playing a piano." So he made quite an argument, and other Democrats came in and argued against the bill. Loch Waters just sat there with a smirk on his face, and Warren seemed to have a grin. (I'd never say he had a smirk, you know.) But they had the votes. They had everything their way, and they just listened, and then the governor signed the bill.

Then the same thing happened in reverse in 1961. Then the Democrats got even with the Republicans and they sort of did it with a vengeance. I think they even out-Republicaned the Republicans in the '61 apportionment. And Bob Crown ran the bill through just like Waters had done ten years previously. So Brown didn't hesitate in signing it, just as Warren didn't hesitate signing the one in 1951.

Rodda: Now the reason it's so difficult this year [1971], is that one party doesn't have complete control, because Reagan is a Republican. So they have to come out with a fair apportionment. And as you say, in those days, they weren't so concerned about one-man-one-vote. The party in power would always lump all the votes of the other party into as few districts as possible. The districts would vary in the assembly, where they were supposed to be on a population basis, they would vary from maybe 150,000 in one district to more than 300,000. There were some districts more than twice as large as others. And the big districts always had the minority party registration. They'd lump all the Republicans in one district if they could, which they succeeded in doing in '61. That's what Yorty, a Democrat, was so mad about in '51, because they gave him this great big district, and they gerrymandered all over, putting in all the Democrats, taking them out of Republican strongholds and putting them into one big district, you see.

Fry: I wonder how Earl Warren was able to go to bat for partisan things like this and still maintain his non-partisan stature?

Rodda: You know, we sat around here among ourselves, that is, the press, and talked about it. The politicians are all keyed up about reapportionment. But the man on the street doesn't care, one way or another. He doesn't even know who his assemblyman is. You ask somebody on the street who represents him in Sacramento, and he'll say Senator Tunney, maybe. Or who represents him in Washington, and he won't know. (But he'll recognize the name, though, when it comes to voting. There's name recognition. Incumbency is always a factor.)

But he could not care less about what district he's in. So reapportionment is not an issue that turns the voter on, one way or another, in my opinion.

Fry: That brings up another point. Right now we're sitting here in the middle of an urban crisis. It appears that in the forties the urban crisis was not so visible. Is that a correct impression? On such issues as one-man-one-vote in the senate, where urban communities would get even representation with rural communities, what lobbies and representation were there outside the legislature to bring pressure, besides the labor lobby?

Rodda: Well, that was about all there was. Well, even progressive newspapers, like the one that I work for, and the L.A. Times, which is now a lot more progressive than it used to be, would never champion one-man-one-vote, as I recall. We opposed the senate reapportionment. Of course, being in the North, it was more than rural versus urban. It was North versus South, so we wanted to keep a northern controlled senate. So all of the northern press of course was interested in keeping the senate the way it was. But even in Los Angeles, the Times, as I recall, they didn't go all out for this reapportionment in the senate in '48, even though it would have been to the advantage of Southern California. I think these special interests, the farmers, and the chambers of commerce, and the banks and the Southern Pacific, and you know, all the big interests in the state -- they always stick together.

Labor's Interests

Fry: I've often wondered about the actual strength of the labor lobby. There was Cornelius Haggerty for AFL. He and Warren seemed to get along very well. What happened when Warren let pass, without his signature, the bill that banned hot cargo? And then in the same session, he signed the bill that banned jurisdictional strikes. (You remember in 1950 the AFL convention endorsed Jimmy Roosevelt instead of Warren.) Did you have enough of an in at that time in labor circles to know anything about the relationship between Haggerty and Warren?

Rodda: Not really. I remember organized labor was quite unhappy over these two things, but that's just my general recollection. I don't recall the personalities. I'd have to look at some old clips or something.

Fry: There was also the CIO.

Rodda: Yes. Of course they never were for Warren. They never supported Warren.

Fry: There was such bitterness between the CIO and the AFL, I thought maybe an astute governor running for office could bring AFL in for support of certain things, like himself [laughing] and might be able to play the two



Fry: against each other. Perhaps Warren would not do that intentionally, but I wondered if it had ever happened.

Rodda: No, offhand, I can't remember anything.

Fry: There seems to be some evidence to support the contention that Warren may have had the leadership of the AFL against him as a result of his actions in the '47 legislature, but the rank and file still supported him.

Rodda: Oh, I think that's true. Well, of course, the election showed that he must have had a lot of support, particularly in '46 when he won a double nomination, and then again in 1950, when he beat Jimmy Roosevelt. And you couldn't have a better name than Roosevelt, at that time!

Fry: What did you think about that campaign?

Rodda: That campaign? Oh, I was disappointed in Roosevelt. I can't remember -- I probably voted for him.

Fry: Reading the newspapers now from this distance, he seems to have made a lot of wild charges.

Rodda: Yes, and I remember he made a lot of wild promises too. I remember one of the craziest things: he was going to build a bomb shelter for everybody.

Fry: Anticipating the Kennedy administration!

Rodda: Yes. Yes. And he had some grandiose plans that were totally impractical, but they were good headline catchers.

1948 Social Welfare Initiative

Fry: Yes. I think he had the Townsend pension people behind him. He cleaned up with them too.

When the welfare initiative won with --

Rodda: Oh, Myrtle Williams?

Fry: Yes. When she was made head of welfare in the 1948 reorganization, as a result of a popular initiative, and this lasted only one year --



Rodda: Yes. One year exactly.

Fry: '48, and then rescinded in '49. I wondered if you were on the scene for that.

Rodda: Oh, yes. Definitely.

Fry: That's a little bit hard for people now in 1972 to understand. [Laughter] It just seems so far out, so unusual.

Rodda: Well, you know it was a sleeper on the ballot. Nobody thought it was going to pass. But George McLain, he's dead now, but he had this following. He inherited it from the Townsend people and Willis Allen, his Thirty Dollars every Thursday -- all these crackpot schemes, you know. George McLain made a little more sense. He was a little bit sounder than the others were.

He didn't have any get-rich-quick schemes. But he did get this initiative on the ballot to shift the control of social welfare to the state. To take it away from the counties, and the state would handle it. I personally believe that's the way it should be handled, and a lot of people do. But at the time that he did it, he specified, right in this measure that was on the ballot, that Myrtle Williams was to run it. And so, nobody dreamed that it would pass. I can remember in those days of the slow-count election. Day by day the absentee votes would be counted. Today Fresno county's absentees would be added, and tomorrow, maybe Alameda county, and then along would come Los Angeles, and they had part of their results.

It was a couple of weeks before we knew the outcome. It was neck and neck. There were people in the AP offices all day long watching how it was going to come out. And finally, the final tally gave it to Myrtle Williams and McLain, and so the state could do nothing except accept it.

So Jimmy Dean, who was director of finance, and Warren invited Mrs. Williams up to see them and to talk about how she was going to take over the Department of Social Welfare. I remember coming to their first meeting together. It was rather cordial. So the State cooperated and gave her an office, and let her hire a staff. It was all hand-picked by McLain. He was the



Rodda: real boss behind the scene. And so she was in business.

But in the meantime, why, Warren and most of the establishment people in politics and business decided that this had to be repealed. So they put together an initiative, and the legislature cooperated by having a special election, or something or other in '49, and it was quickly repealed. It only lasted a year.

Fry: Do you think it might have passed by a larger majority, and lasted, if Myrtle Williams' name hadn't been put in?

Rodda: It conceivably could have survived, if they hadn't been a little bit too greedy, you know, to get their own people specified in the state constitution to run it. If it had been set up by commission, say appointed by the governor with the consent of the senate, or something like that, it might have been a permanent change. But you see, McLain wanted the power himself. He wanted to be the boss. And so he set it up right in the initiative. Her name was mentioned right in the initiative, that she was to be the boss.

Fry: What was your impression of her?

Rodda: Oh, I think that she really was -- well, she was almost like McLain, in that she loved this position that it placed her in. She was one of his shrewd advisers in his office. She was a cool, or a cold, calculating woman, I always thought. You know, I don't think she had any real passion for people on welfare, and I don't think McLain did either, but it was a good gimmick, and they made a lot of money collecting dues from these old people, promising them the moon all the time.

Fry: Yes. I guess it was Pete Phillips of the Bee who went down and visited the McLain headquarters, and wrote an article on how very posh it was. [Laughter]

Rodda: Yes. Yes. Right.

Fry: Charles Schottland took over after this was repealed, and we may have a chance to talk to him about this in about a month. What were your impressions of his administration?

Rodda: Schottland? I remember him, and I was favorably impressed by him. He seemed to be an efficient administrator, and dedicated. I think most of Warren's

Rodda: appointees were really dedicated men, and he was one of them.

Fry: How do you account for the fact that his appointees were so dedicated?

Rodda: Oh, I kind of think Warren brought a new image to the governor's office. He had a very good reputation as a man of honesty and integrity, and there was no nonsense with political hankypanky and all of that. But -- he just attracted dedicated people.

Varieties of California Conservatives

Rodda: I can only think of one Warren appointee that I was really disappointed in. He's still around. I really wouldn't like to mention him, but he was his director of motor vehicles.

Fry: Oh, that was one I was going to suggest! [Laughter]

Rodda: Gordon Garland. Yes. He's still around.

Fry: Wasn't he a good Democrat?

Rodda: No, he wasn't a good Democrat. He's the one that helped double-cross Culbert Olson. In 1938 or '39 -- this was before I was over here at the capitol, but I was at the paper [Bee], and I remember it very well -- Olson was governor, the first Democratic governor in the century. And he had a Democratic assembly. The senate was still Republican. And in those days the governors seemed to have some sort of voice in picking the leadership of the legislature. Olson had picked Paul Peek as the speaker, so they elected Paul Peek as speaker.

But there were a few Democrats who called themselves the "economy bloc." They joined with the Republicans in forming what they called an "economy bloc." We always in our paper called it an "anti-Olson coalition." We didn't buy their term "economy bloc." And that's really what it was, an anti-Olson coalition, because Olson was just too liberal for them, and these were conservative Democrats. And they pulled off this coup; they threw out Paul Peek and they elected Garland as

Rodda: speaker of the assembly. Then, when Warren became governor, he appointed Garland as director of motor vehicles. Now Garland was no hero in the eyes of the Democratic faithful. He was a turncoat. He had teamed up with this coalition to throw out Paul Peek. Paul Peek ultimately landed on the State Supreme Court after Brown became governor, so Paul Peek did all right for himself. Olson appointed him secretary of state after Frank Jordan's father died; Peek served until the next election in 1942. Then Frank Jordan's son ran against him and beat him, and stayed in office until he died just a year and a half ago.

Fry: Well, do you remember what Gordon Garland did in the campaign of 1942? I wondered if he supported Warren.

Rodda: Conceivably. I don't remember that. I have no knowledge of why Warren appointed him --

Fry: I'll make a note to myself to check my '42 files. It seems to me he may have.* Well anyway, he wound up as director of motor vehicles. What happened there? What kind of job did he have to do then, as director of motor vehicles? This department was reorganized later, I believe.

Rodda: Yes. Well, my memory's a little hazy on that. The director of motor vehicles hasn't been much of a job except to keep track of, what, eight million -- oh, I don't know how many million motorists there are now. But it's just --

Fry: It's just a computer operation, almost, now?

Rodda: Yes. But I don't know as he brought any special talent or leadership to the department. He's still around as a lobbyist.

Fry: Who's he lobbying for?

*Garland . . . pleaded with 'rank and file' Democrats to vote for Warren in order to put the 'welfare of the people of California above partisan politics during this time of crisis'. San Francisco Chronicle, October 15, 1942.



Rodda: Oh, some water districts, I believe. Yes, he's one of the high-priced lobbyists. We scan the reports almost every month; they have to file a report showing how much they spend.

Fry: There's another lobbyist, one who was important in the 1952 Werdel campaign against Earl Warren, and that's Joe Shell. I wanted to ask you how I can best get in touch with him and if you think that he would talk to me.

Rodda: He probably would. I haven't seen him around for a few weeks, but he was very active here in the fall, when the tax bill went through, and it changed the depletion allowance on oil. He was trying to get that killed, or something or other. But I haven't seen him lately. But he does maintain an office in Sacramento.

Fry: Yes. Do you think he would talk to us about the Werdell campaign?

Rodda: No, except that he's always been a conservative Republican, and you know he ran against Nixon in the primary of '62, and he got beat badly; I guess it was about two-to-one. He has always had ambitions to be speaker of the assembly or something like that. He's always trying to put together something to get himself elected to something. But he just didn't quite make it. I guess he's doing all right as a lobbyist. I like him. He's a real nice guy.

Fry: Is he fairly approachable?

Rodda: Oh, yes. Yes.

Fry: Do you know anything about the Werdel campaign, the source of their disenchantment with Warren?

Rodda: No, as I remember it, it was a lot of people who were disenchanted with Warren because he was just too liberal for them. It was just the conservatives against the moderates. Just like today. There are even more anti-Warren people today. You talk to a lot of people, some conservative Republicans, and they just -- well, I'll tell you a little anecdote.

I belong to the Masonic Lodge, and really I don't seem to fit into the organization, because of my political views. But my next door neighbor is a Mason, and he is

Rodda: a member of a lodge in Oakland, the Sequoia Lodge. So last year he asked me to go down with him to Oakland when he was going to get his fifty-year pin; we drove down there that evening. We went into the lodge hall, and we met all of his old cronies, and they patted him on the back and all that sort of thing. One of the officers of the lodge said to him, "Burr, do you know, just last year Earl Warren came out here, and we awarded his fifty-year pin just a year ahead of you." Same lodge. He said, "Hardly anybody showed up!" And you know, he [the officer] was rather proud of it! You see, this isn't the same Earl Warren that joined their lodge fifty years ago. This was the new leftish Earl Warren, in Masonic circles. Even though he had been Grand Master of the Masonic Lodge in California, I don't think he's very popular in Masonic circles now. He's just too liberal for them.

As I say, politics doesn't come up in the lodge, but you can just feel it among people that you mingle with in the Masonic Lodge, that most of them are very conservative. Most of them are Republican. I pay my dues, but I don't go very often.

Fry: It sounds like you have a big job to do there!

Rodda: Well, I thought about it. I've thought about it, yes. But I don't -- well, one of the things that just bothers me is that it's a white man's lodge, and until the day they can see fit to accept --

Fry: Oh, it still is?

Rodda: Yes.

Fry: Well, I knew that they had had black lodges that were entirely another organization.

Rodda: Absolutely. They're still separate, and they have nothing to do with each other. I think that the Elks, and I think that the Moose and all these fraternities ought to get with it in the twentieth century. That's a little aside. But I did think that was an interesting commentary on Earl Warren.

Fry: Yes, that's very interesting, especially since so many people have told us how his role in the Masons was a great big voting bloc for him in his races for governor and attorney general.

Rodda: Oh, yes. Well, you know, the lodges are sort of dying out and they don't carry the political force now that they used to carry.

Fry: Yes. It's hard to realize today that that was important.

Rodda: Yes. You don't talk about the Masonic vote any more, or the Catholic vote. I think the Catholic vote is probably more of a bloc than, say, the Masonic vote today.

III LEGISLATIVE BATTLES WON AND LOST

Fry: I want to be sure and ask you, before we have to cut off this interview, about Warren's relationship with the legislature. You mentioned that up to and through Olson's time, governors still had something to say about choosing the speaker, and so forth. Did Warren ever try to influence that? Wasn't Charlie Lyons --

Rodda: No, no. Maybe I misled you a little bit. I think in the case of Culbert Olson that Paul Peek was his boy, you know. It was obvious that Peek was cooperating with the governor to a greater degree than this group, these malcontents wanted.

Fry: Than the so-called economy bloc wanted?

Rodda: Yes. And so he had the reputation of being Governor Olson's speaker. But that was not true of Warren. I should have qualified that at the time. In Warren's case, Warren always had a hand in picking the chairman of the Assembly Ways and Means Committee to handle his budget. That was the main thing.

Fry: Really?

Rodda: Yes. Assemblyman Al Wollenberg was the chairman of the Ways and Means Committee.

Fry: Oh. What do you mean "picking?" How does the governor go about picking?

Rodda: Well, he consults with the leaders of the assembly and tells them that Wollenberg would be acceptable to him, or maybe he had a number of men that would be acceptable. I think he was consulted on the choice of the Ways and Means chairman.

Well, Tom Caldecott was later Ways and Means

Rodda: chairman. Both of them are judges now. And I think that there was always an unwritten rule that you talked to the governor about the Ways and Means chairman because he handles the governor's budget. And the same sort of thing goes on in the senate side for the Finance chairman.

Fry: I see.

Rodda: That is my recollection of how it happened in the Warren days. But no, he did have a fight with Charlie Lyons, who was the speaker in the health insurance battle. Lyons accused Warren of lobbying. I remember, I was sitting in the chamber at the time, and it was a clash between Lyons, as I remember, and Wollenberg. They were trying to pull the health insurance bill out of committee onto the floor, and Lyons really got hot under the collar. He pointed down at Wollenberg and accused the Governor of lobbying the bill. Wollenberg came to his defense, and then later the Governor answered at a press conference and said he was only sending up a message that he wanted his bill on the floor. Certainly the Governor had the right to do that.

Fry: How did Warren compare with other governors in this business of trying to influence his own legislation?

Rodda: Well, he worked hard at it, with his floor leaders, you might say. During every administration, there are certain ones that --

Fry: The governors' men?

Rodda: Yes. Somebody always comes up with the unofficial title, "Well, he's the governor's floor leader, you know." He did have quite a bit of influence. However it seems to me that he didn't succeed with his liberal legislation like he did with noncontroversial or conservative legislation. And it always leads me to suspect that the Republican party gives lip service to liberalism, and then when the chips are down, they vote conservative. Because it was the Republicans who killed his health insurance bill, and the Republicans killed FEPC legislation, you know. I remember that was a straight party vote in the committee.

Fry: Warren got some criticism for not going to bat for FEPC more.



Rodda: Yes. He did. He did from time to time. I remember people would say that if Warren really wanted to show his muscle he could get something through, but he didn't seem to have the will to get it through. But I don't fault him too much -- he had precious little backing from his own party.

Fry: Did he ever show his muscle on anything, that you know of?

Rodda: Well, on that highway fight.

Fry: And the health insurance?

Rodda: Well, he lost that, but he showed his muscle, he sure tried. Yes. But he won the highway fight.

Fry: What did he do for the highway fight? I know that his floor men were hard at work, but his own role --

Rodda: Well, he came out with strong statements at press conferences, and he made speeches. As I recall he was in there pitching for that right from the start. And he also pitched hard on the health insurance. As I recall, I don't think he pushed awful hard on FEPC. Maybe he figured it was a lost cause, so why waste your energy. Sometimes politicians will take that practical position.

Fry: Did he lobby less or more than a governor, say, like the present governor? [Reagan]

Rodda: It's hard to think back twenty years. But this governor seems to be -- well, this governor seems to be exerting his influence as much as, at least, any other governor. Probably a little more, because he's got the Republicans so afraid, you know, to cross him, that he can just snap a finger and get all the Republican votes every time.

Fry: I'd like to pursue that, but I have to wait until we have our Reagan series. [Laughter]

Rodda: Yes, he's another era.

Fry: Well, what about prison reform in 1944? The corrections bill and the special session?

1. The first part of the paper is devoted to a general discussion of the problem of the existence of solutions of the system of equations (1) for arbitrary values of the parameters α and β . It is shown that the system has solutions for arbitrary values of the parameters α and β if and only if the condition $\alpha + \beta = 1$ is satisfied. In this case the solutions are unique and are given by the formulas

$$x = \frac{1}{\alpha} \ln \frac{1}{1 - \alpha} \quad \text{and} \quad y = \frac{1}{\beta} \ln \frac{1}{1 - \beta} \quad (2)$$

where \ln is the natural logarithm.

2. In the second part of the paper the problem of the stability of the solutions of the system (1) is considered.

It is shown that the solutions of the system (1) are stable with respect to the initial conditions if and only if the condition $\alpha + \beta = 1$ is satisfied.

3. In the third part of the paper the problem of the stability of the solutions of the system (1) with respect to the parameters α and β is considered.

It is shown that the solutions of the system (1) are stable with respect to the parameters α and β if and only if the condition $\alpha + \beta = 1$ is satisfied.

4. In the fourth part of the paper the problem of the stability of the solutions of the system (1) with respect to the parameters α and β is considered.

It is shown that the solutions of the system (1) are stable with respect to the parameters α and β if and only if the condition $\alpha + \beta = 1$ is satisfied.

5. In the fifth part of the paper the problem of the stability of the solutions of the system (1) with respect to the parameters α and β is considered.

It is shown that the solutions of the system (1) are stable with respect to the parameters α and β if and only if the condition $\alpha + \beta = 1$ is satisfied.

6. In the sixth part of the paper the problem of the stability of the solutions of the system (1) with respect to the parameters α and β is considered.

It is shown that the solutions of the system (1) are stable with respect to the parameters α and β if and only if the condition $\alpha + \beta = 1$ is satisfied.

7. In the seventh part of the paper the problem of the stability of the solutions of the system (1) with respect to the parameters α and β is considered.

It is shown that the solutions of the system (1) are stable with respect to the parameters α and β if and only if the condition $\alpha + \beta = 1$ is satisfied.

Rodda: Yes, I remember it vaguely, and I remember they put through a lot of prison reforms and it became the Department of Corrections, and they were called "correctional officers," instead of "guards." And he brought out McGee, who I think is a real high-class caliber. He's an outstanding appointee of Warren's. And then there began the prison building program after the war. The same thing happened in Mental Hygiene. He brought some outstanding men. Oh, Dr. Tallman I remember came out as mental health director. Then there was Karl Holton in the Youth Authority. They were outstanding men in their fields. They weren't the type of political hack that you see often get appointed to office. It seems to me Warren had few of those around him.

And then the delightful thing about it that I always remember is that when Goodie Knight came into office, all of these political hangers-on thought, "Now here's our gravy train," you know. And boy, they lined up outside the door, practically, with their hats in their hands. And you know what Knight did? He kept on most of Warren's appointees. He even kept on Warren's personal staff. He brought in only a few of his own personal choices; he brought in his own finance director, a very good finance director.



IV WARREN, 1952 AND 1953

Fry: So Warren's shadow was long. What about Warren's appointment to the Supreme Court, and how that happened. Were you in the know on that ahead of time?

Rodda: Oh, no, we just had rumors that Warren wanted it. I think he confided that he was after it.

Fry: You mean confided here, that he was after it?

Rodda: Yes. To some of his intimates, and it filtered down to some of us in the press. The story we heard was that Eisenhower wanted him to take an associate justice, and elevate somebody up to Chief Justice, and Warren was supposed to have said, "No, it's either Chief Justice or nothing." And he drove a hard bargain, and that's what he got.

Then years later, Eisenhower said that the most damn-fool thing he ever did was to appoint Warren as Chief Justice.

Fry: Yes. At the time, who do you think in Washington helped with the negotiations on all this? Who was Warren's friend?

Rodda: Now, Herb Brownell had something to do with it.

Fry: Well, yes. Herb Brownell's the one who came out here and talked to Warren about it. What I wonder is, who kept putting Warren's name before Eisenhower, kept pushing this along?

Rodda: I'm trying to think back. Could it have been Bill Knowland?

Fry: It could have been Knowland. It could have been Kuchel. It could have been Nixon.

Rodda: I don't think so. I don't know.

Fry: We're also in the process of getting documentation on that '52 train ride to the Republican national convention.

Rodda: Well, I can't tell you anything first hand, because I didn't go to the convention. All I heard was what people on Warren's staff told me, and what my former boss, Pete Phillips, told me.

Fry: What did he say about that?

Rodda: Well, the story was much the same. Nixon was working behind Warren's back, getting himself in good graces with Eisenhower, and he jumped on the train at Denver and rode into Chicago, and all the time he was working behind their backs to get the nomination for vice president.

Fry: Knowland's role in this was that he remained fairly, or maybe quite a lot, loyal to Warren?

Rodda: Oh yes. Oh, absolutely. Absolutely. There's one guy that, as much as I disagree with his politics, there's one guy who's the rock of Gibraltar when he makes a commitment. He just stood by Earl Warren right to the end. He could have helped deliver that bloc of California votes to Eisenhower and gotten to be vice president himself. Everybody seems to think that.

Fry: Yes. Or to Taft?

Rodda: Or, yes, or he could have swung it to Taft, maybe. But no, he made a commitment to Warren and he stayed with Warren. And Warren was a serious candidate for President. Warren was hoping that a deadlock might develop and that the convention would turn to him. It never happened, and they blame Nixon for it.

Fry: For reasons of his own --

Rodda: Well, I suppose. That episode in '52 -- I remember one time when I had a little interview with Warren, and he let his hair down with me more than he'd ever done. I think it's the only time I ever interviewed him when he spoke off the record. You know, I don't feel like I could really tell you what he said.

Fry: Tell it and we'll put it under seal. You see, you sign a legal contract and then you can put it under seal.

Rodda: Oh, I see. Well. You know I can't remember the things he said verbatim, but it came on strong that he had absolutely no use for Nixon and was just hoping that this is the part that you would put off the record -- he just was hoping that Pat Brown would beat the hell out of him, you know, in that '62 campaign. Now I wouldn't want that to --

Fry: Well, okay, but we've got other documentation for that.

Rodda: You have?

Fry: Yes. It's not exclusive. It certainly fits in with stories about the '52 campaign train to the Republican convention.

Rodda: Yes. Yes. And here in '62, ten years later, Warren's animosity toward Nixon was still there, you see.

INDEX - Richard Rodda

Allen, Willis, 19
 American Federation of Labor (AFL), 17
 anti-Olson coalition, 21
 assembly, California, 21
 Ways and Means Committee, 26-27
 Automobile Club, 10

 banking, 6-8
 Bonelli, William G., 1-6
 Brown, Edmund G. "Pat", 3, 13, 15, 22
 Brownell, Herbert, 30

 Caldecott, Thomas E., 26
 Calhoun, Bernard, 6
 California State Advisory Committee on Motor Vehicles, 11
 California State Board of Equalization, 1-2
 California State Controller, 6-7
 California State Crime Commission, 4, 9
 California State Department of Corrections, 29
 California State Department of Motor Vehicles, 21-22
 California State Director of Finance, 7
 California State Treasurer, 6-7
 Catholic vote, 25
Collier's, 2, 4
 Collins, Richard E., 4
 Congress of Industrial Organizations (CIO), 17
 Crown, Robert W., 15

 Dean, James, 19
 discrimination in fraternal organizations, 25

 economy bloc, 21, 26
 Eisenhower, Dwight D., 30, 31
 election campaigns:
 1942, 22
 1946, 11
 1950, 11, 18
 1952, 11, 23, 31a
 1962, 23, 31a

 Fair Employment Practices Commission, 27-28
 freeway lobby, 10

Garland, Gordon, 21-23
gerrymandering, 16

Haggerty, Cornelius, 17
health insurance, 10, 27-28
Henderaker, Dr. Ivan, 14
highways, 10, 28
Holton, Karl, 29
Howser, Frederick N., 9

Johnson, Charles G. "Gus", 7-8
Johnson, Hiram, 12
Jordan, Frank, 22

Kefauver Committee, U.S. Senate, 2
Kelly, Earl Lee, 11
Knight, Goodwin, 7-8, 11, 29
Knowland, William, 12-13, 30-31
Kuchel, Thomas, 30

labor, 17-18
legislature, California, 26
liquor control, 9
liquor licensing, 1-5
lobbying, 10-11
Los Angeles Times, 17
Lyons, Charles, 27

Manolis, Paul, 13
Masonic Lodge, 23-25
McGee, Richard, 29
McLain, George, 19-20

Nixon, Richard M., 30-31a
nonpartisanship, 12

Oakland Tribune, 12
Olney, Warren, 9
Olson, Culbert, 21-22, 26
one-man-one-vote, 13-17

Peek, Paul, 21-22, 26
Peyser, Jefferson, 6
Phillips, Herbert "Pete", 20, 31

Poole Money Investment Board, 7
 Post, A. Alan, 6
 prison reform, 28-29
 prohibition, repeal of, 1-2

Quinn, James H., 4

reapportionment, 13-17
 Reagan, Ronald, 13, 16, 28
 Reilly, George R., 4
 Repeal of prohibition, 1-2
 Republican national convention (1952), 31
 Rolph, James, 2
 Roosevelt, James, 17-18

Sacramento Bee, 20
 Samish, Arthur, 2, 4-6, 10
 Schenley Distillers Company, 6
 Schottland, Charles, 20
 Seawall, Jerrold, 4-5
 Sequoia (Masonic) Lodge, 24
 Shell, Joseph, 23
 Senate, U.S., Kefauver Commission, 4
 Social Welfare Initiative of 1948, 18-20
 Southern Pacific, 17
 special interests, 11, 17
 Steward, Fred, 1-2

Taft, Robert, 31
 Tallman, Frank, M.D., 29
 Townsend pension, 18-19
 Tunney, John V., 16

Unruh, Jesse, 13
 urban crisis, 16

Velie, Lester, 2

Warren, Earl, 1, passim
 appointments made by, 29
 as governor, 9
 banking, 8
 election campaigns, 11
 health insurance, 27-28

Warren, Earl, continued
 Knowland appointment, 12
 labor, 17-18
 liquor licensing, 1-3
 Masons, 24
 one-man-one-vote, 14
 reapportionment, 15-16
 relationship to legislature, 26
 relationship to lobbyists, 10
 Supreme Court appointment, 30
Waters, Laughlin E. "Loch", 14-15
Ways and Means Committee, 21, 26-27
Werdel, Thomas, 11, 23
Williams, Myrtle, 18-20
wine industry, 6
Wine Institute, 6
Wollenberg, Alfred, 26-27

Yorty, Samuel W., 15-16
Youth Authority, 29

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Earl Warren Oral History Project

Herbert L. Phillips

PERSPECTIVE OF A POLITICAL REPORTER

An Interview Conducted by
Amelia R. Fry



"Pete" Phillips, ca. 1920,
after returning from
World War I.



Ca. 1930



Around 1940.



Herbert L. Phillips
1953

TABLE OF CONTENTS - Herbert L. Phillips

INTERVIEW HISTORY	i
I A PROLOGUE: WARREN AND HIS POLITICAL PHILOSOPHY [Written by Herbert Phillips in June 1975, in the style of an oral history interview]	1
II PHILLIPS' JOURNALISTIC CAREER	9
Big Wayward Girl	9
Overseas Military Newspapers, World War I	11
Sacramento Cartoonist and Political Reporter	15
III WARREN'S FIRST DAYS AS GOVERNOR	17
IV STATE AND NATIONAL POLITICAL AFFAIRS	21
1936 and 1940 Republican Conventions	21
California Republican Assembly	22
Warren's Evolution	25
National Conventions and Campaigns	28
V OPPOSITION TO WARREN	32
Democratic Appointments and Opponents	32
Conservative Republicans	36
Organized Labor Positions	38
Cross-filing	40
VI SOME ISSUES AND REALITIES OF THE 1940s	43
Population Growth: Financing Social Needs	43
Reapportionment	45
Working with the Legislature	49
VII 1952 REPUBLICAN CONVENTION AND AFTER	54
Nixon and Warren's Chances for Nomination	54
Convention Balloting	55
Speculations on the Supreme Court Appointment	58
Warren Leaves Sacramento	64
VIII GROWTH OF AND INFLUENCES ON STATE GOVERNMENT	66
Administrative Developments	66
Arthur Samish	67
Investigations of Lobbying	69
Varieties of Lobbying	71
Political Public Relations: Clem Whitaker	73
Board of Equalization Reorganizations	76

IX	THE CALIFORNIA REPUBLICAN PARTY AFTER WARREN	82
	Thomas Kuchel and William Knowland	82
	1958 Campaign for Governor	83
	Summing Up	84
	APPENDIX	90
	INDEX	95

INTERVIEW HISTORY

Interviewer: Amelia R. Fry

Time and Place of Interview: July 19 and July 20, 1972
Mr. Phillips' home in Sacramento, California

Those present: Herbert Phillips and Amelia Fry

The Interview:

Herbert Phillips--known as "Pete" to almost everyone--was the political reporter for the Sacramento Bee for three decades, from 1933 to 1963. Before that, he ran the capitol bureau for the San Francisco Examiner. At least during Governor Warren's term (1943-1953) he was in daily contact with the state executive, and one of Warren's assistants remembers that Pete was the reporter who invariably remained after every press conference for further conversation with the governor. His Bee analyses and summaries ("Politics in Review") of both the executive and the legislative branches carried a great deal of political weight in the state and are now mainstays for any study of California history of that period. His own political history book, Big Wayward Girl, was published by Doubleday and Company in 1968, the year before our Earl Warren Oral History project began, so that it was one of the basic books on the shelves in our office.

By the time of this interview, Pete had become accustomed to my telephone calls, which initially sought his reporter's interpretation of the past and later urged him to record the wisdom and generalizations that come from decades of close-in observation. I soon had become accustomed to his rejection. But with Pete it was not so much his rejection of our proposal and of us, as it was his dejection: his wife lay very ill, and his devotion to her and her needs had understandably become his whole life. When finally he agreed to meet with me, the awesome loss that he had had to confront in her death was still very much with him.

It was at the traditional state capitol watering place, the Senator Hotel, that we first discussed the Warren project. He had laid down the conditions for the meeting: no tape recorders, no microphones.

It was an interesting conversation that summer afternoon. The seasoned political journalist well knew all the tricks of how to loosen up a reluctant interviewee, and in the latter role he was on guard. His reasons were impeccable: it's all in his book (Well, there are some "why" questions you did not answer in your book, Pete.); his regular columns in the Bee on the legislature, the governor, and politics of the day cover the entire Warren period. (Yes, and the governor's secretary, William Sweigert, kept an office index by topic, which we have and use--but your personal observations are not there, and rightly so.)

He did agree to tape record a conversation or two with me--perhaps because he saw that to tape once was easier than being plagued with our telephone questions indefinitely. In many ways, our conversations do follow his book, which was fresh in his mind. Here he gives us impressions and conclusions. One might guess that actually Pete is an admirer of Earl Warren, though he strives for objectivity, and I think the guess would be correct. They spring from Pete's personal views, disappointments, and hopes.

Pete's house is very comfortable, not at all ostentatious. There are Persian rugs in the living room and dining room, which are separated by a wall of books ("a good potpourri library"). In the white enamel cabinets in the kitchen are his own vivid cartoons, pseudo-Colonial Mexico figures watching cock fights, dancing, or working over an anvil (which was third-dimensional--the electric doorbell case, an illustration of Pete's whimsy). In his study hangs the framed front page of the * (*See below*)

He still has sketches and paintings on an easel nearby, and on display are two or three cartoons about him by cartoonists on the Bee and the San Francisco Chronicle. The house speaks well for Pete, a person talented as artist cartoonist, observer, and writer.

While our rapport grew, Pete never lost his discomfort with the recording process. How he hated the microphone! Later, over dinner, he told me that he had been put on the radio for several years to be interviewed on news events for the McClatchy radio network in Sacramento. His method had been to write out in advance the questions he wanted the interviewer to ask and to direct the progress of the colloquy in silent sign language! The fact my question topics were not sent to him beforehand--because I had not expected him to be willing to record--made him doubly discomfitted.

His speech resembled snare drum spurts interlaced with soft chuckles. Occasionally he interrupted his own flow to scrutinize my selection of questions or my interview technique from his critical vantage point of a pro. At dinner the first day he said, "Why do you ask me questions that you know I don't have answers to--that no one has answers to?"

"To get your reflex on what the press corps speculates," I said. He seemed to accept that, but his challenges were to continue. This second level of give-and-take that went on simultaneously within the historical inquiry increased the education, if not the attention of the interviewer. This sporting aspect of the interview may have been the only compensation for Pete in his misery before the microphone.

But if he found recording his memoir a threat to his equilibrium, he had even a tougher time when confronted with the job of checking and correcting the transcript, which had been rough-edited once in this office. Pete--an avid smoker--was stricken with severe lung problems and was in and out of the hospital most of 1973. His convalescence was gruelling and slow. At the end of that year he took an initial look at the work and wrote, "You sized up your man a little wrong; you should never--but

*Versailles Peace Treaty signing story from the AMAROC News, a Coblenz morning daily of the American Army of Occupation for which he worked after the Armistice and the establishment of an Allied bridgehead on the Rhine.

never--have shoved a mike at me and invited me to talk. I rambled uncomfortably all over the political landscape, tossing in stuff not in the least pertinent..." A year later, his health still requiring some hospitalization, he apologized for not attacking the dreaded job: "I promised, I know, but...that hunk of script looms like one of those towering mountains one always intends to climb, often spraining an ankle or something on the first gentle rise." But six months later--June 13, 1975--he did complete his revisions and additions, delivering his last touché in the process. He inserted sections of fictitious interviews, authoring both questions and answers as he had wanted to do all along. These are noted as additions in the text and may be found in three places: the prologue; the chapter "Opposition to Warren," pp. 32-33; Republicans in the Thirties, pp. 19-23; and a postlude, or summary of his thoughts on Warren, pp. 85-89.

Between the time Pete recorded and the time he went over his transcript, California's Big Three of politics had each been abruptly devoured by history, with its creeping ambiguities. At the time of our interviews, retired Chief Justice Warren was active, world wide, in international law and judicial education, former U.S. Senator William F. Knowland was running the Oakland Tribune, and Richard Nixon was in the White House and headed for a second term. At the time Pete worked over the transcript, Earl Warren had died, William Knowland had committed suicide, the Watergate scandal had forced Richard Nixon to resign, and Ford was in the White House. These events must have given the veteran political observer added impetus to place Earl Warren's era in perspective.

Amelia R. Fry
Interviewer-Editor

14 April 1976
Regional Oral History Office
486 The Bancroft Library
University of California at Berkeley

TRACING THE FAMILY OF HERBERT LORRAINE PHILLIPS

Herbert Lorraine Phillips, 77 years old in 1975, represented the fourth generation of his family in California, two generations born in the state, the other two arriving from the East and South in the gold rush days. Three more generations have started since then. His paternal forebears came from Virginia, the Carolinas and Tennessee, his maternal side from Massachusetts and upper New York. The background was English and Franco-Scottish.

Phillips' great grandfather was M.R. (Malcolm Ranald) Isbell, a plainsman who visited the West before the gold discovery and then, in '49, brought his family to California by wagon train.

Phillips' paternal grandparents:

Julia Isbell Phillips who crossed the plains as a tiny girl with the Isbell family and eventually married . . .

Robert M. Phillips who, as a very young man, came west in the gold rush, from a slave-owning plantation in Tennessee, and engaged in mining, agricultural and business pursuits. They lived in various towns of California's great Central Valley and on the Mendocino coast, ultimately making Sacramento their permanent home. They produced a large family of which Herbert Phillips' father was the eldest son.

Phillips' maternal grandparents:

Mary E. Webb Taylor, a descendant of William Bradford, Governor of Plymouth Colony; a teacher who was born in a home on the shore of Lake Onondaga near Syracuse, New York, where her family moved after the Revolutionary War. She came to California around the Horn after her marriage to . . .

John Clinton Taylor of New York State and New Jersey, who originally crossed the plains to California in '49 and became a miner, practiced law and served as a judge in Knights Landing where the couple settled.

Phillips' parents, Vida Cornelia (Nell) Taylor Phillips and James Lorraine Phillips, who followed a business career. The eldest son of the eldest son is usually named Lorraine after an ancient European family from which the Phillips family claims descent.

(MEMO, Mrs. Fry: Complying with your request for a rundown on my forebears bothers me a little and seems a bit pretentious. One of my grandfathers once told me when I was quite young: "I know our ancestry, and so will you, but telling strangers about it is in poor taste and, in the long run, will not benefit them or you." Very true, I think. So let's put it in the appendix or in a footnote, as you suggest, and keep it brief and in the third person)

-HE 12-11-75

I A PROLOGUE: WARREN AND HIS POLITICAL PHILOSOPHY

[Written by Herbert Phillips in June, 1975, in the style of an oral history interview.]

Phillips: Well, here we go again, finishing up on what must be one of the longest Earl Warren interviews on record. In time consumed, at least.

Fry: Yes. It started back in 1972.

Phillips: I've been quite ill the last couple of years. I'm very sorry about all the delays. And I do appreciate how very considerate you've been. Today I'd like to start out with a little quotation.

Fry: A quotation from what?

Phillips: From a speech Warren made before the Republican National Committee meeting in San Francisco, on January 17, 1952. You might say that year was his "last hurrah" in election politics. He had been elected governor of California three times, an unprecedented record. Over the years he had been a favorite-son California candidate for the presidency a number of times, which chiefly meant, in those days, leading his state delegation to the GOP national convention. True enough, he had accepted nomination for vice-president, albeit a little reluctantly, on Tom Dewey's ticket on one such occasion. But, in 1952, he was seriously bidding for the Republican presidential nomination.

Fry: And you think the address he made in San Francisco was significant?

Phillips: In retrospect, that is certainly true. It was a plea for Republican endorsement of social progress, delivered before the GOP National Committee, including its Old Guard, of course. You might call it a foretaste of the Warren years that lay ahead: an unmistakable clue to what made the Warren clock tick, to the record of Earl Warren as Chief Justice of the United States. His appointment to the Supreme Court was less than two years away.

Fry: Are you going to read something into the record?

Phillips: Yes. This is a part of what Governor Warren told his party's national committee in January, 1952:

"Our party has never had a radical wing, but we have our problems just the same because we do have in it extremists of the right--those who would freeze our nation to the status quo with whatever inequalities go with it and those who would have our country return to what they look back to nostalgically and affectionately call the good old days.

"I believe these extremists of the right are not as numerous as they are vocal and influential. It is my very deep conviction, however, that, unless there is a forthright repudiation of this thinking by our party, we will suffer again at the hands of the voters...

"I am convinced the American people are not Socialists and will not tolerate socialistic government, but they are definitely committed to social progress. Any party which turns its back on social progress will be repudiated by the people."

That's the end of the quotation. There was more to the speech, of course, but this is what nowadays would be called the main thrust of it. I don't recall anything similar from Eisenhower or Taft that year.

Fry: And that was twenty-three years ago. How do you happen to have that quotation handy?

Phillips: Well, I certainly don't go around with old clippings of Warren statements in my vest pocket. This one happens to be one from a profile on Governor Warren I did for the magazine Nation in the spring of 1952, shortly after he made the San Francisco address.* It struck me then, and it still does, as an early indication of his basic position on political progressivism vs. reactionism. I imagine it didn't help him very much, with some elements of the Republican party, in his bid for the presidential nomination.

Fry: General Eisenhower and Senator Taft were the front-runners that year anyhow, weren't they?

Phillips: Yes. Warren stood third in number of delegates by convention time. He could have been nominated only in the event of a real Eisenhower-Taft deadlock in the convention. And that didn't happen. Warren

*See appendix.

Phillips: legally had the big California delegation--including Richard Nixon--and a scattering of other delegates around the country.

Fry: Why do you particularly mention Richard Nixon?

Phillips: Because of the political hassle afterwards over claims that Nixon became Eisenhower's choice for the vice-presidential nomination after trying to drum up presidential support for Ike in the Warren-pledged California delegation. I've dealt with the subject in my book about California politics, Big Wayward Girl,* and Mr. Nixon dealt with the subject, too, in his autobiographical book, Six Crises.

Fry: What point are you trying to make?

Phillips: Well, as you just pointed out, it all happened twenty-three years ago. It's a question of when certain things took place in that long-ago presidential nomination campaign. Mr. Nixon--or United States Senator Nixon, as he was in the spring of 1952--has undertaken in Six Crises to "lay to rest one of the many myths," as he put it, regarding his selection as General Eisenhower's vice-presidential running mate. It was the "myth," he wrote, that there had been a "deal" between himself and Tom Dewey in New York, under which Nixon was to receive the vice-presidential nomination in return for "delivering" the California delegation to Ike. Mr. Nixon observed, quite correctly, that California's convention delegates were pledged to Warren and stayed with him to the finish, shifting to Eisenhower only after the general had received enough convention votes from other states to assure his nomination.

Fry: Maybe I missed something. What's the significance of this?

Phillips: Simply this: Mr. Nixon--and I never could figure out why--went on to add the following: "I was for Eisenhower long before I met Dewey at the New York dinner in May." Now, the Warren slate of would-be GOP convention delegates, including Nixon, had filed their required pre-primary pledges of convention loyalty to the governor with the California secretary of state's office on April 7th. The state's presidential primary was held in California that year on June 3rd. The state's delegate pledge was--and still is, so far as I know--pretty binding: to support the designated presidential-nomination seeker to the best of each delegate's "ability and judgment," unless or until released. But Mr. Nixon recalls in his book that he was "for Eisenhower long before" his

*Doubleday and Company, Inc., 1968.

Phillips: May meeting with Dewey in New York. Yet he had joined in a pro-Warren oath in April. Regardless of the pros and cons of this ancient dispute, dyed-in-the-wool Warren adherents were plainly irritated by the incident and it was not forgotten by some of them for a long time. If ever.

Fry: What was Governor Warren's reaction to it?

Phillips: I don't recall that he ever discussed with me exactly how he felt. I could make a shrewd guess, but I won't. I will say that, so far as I could see, there was little love lost between Warren and Nixon from that time on. Warren left the governorship for the United States Supreme Court near the end of the following year. And the Nixon story, from the Checker's speech through Watergate, is well known to everybody by now. But one might say that it did start, in the nation's political big time anyhow, with that 1952 Republican convention.

Fry: Your recollections of it are interesting. I've heard that Warren and Harry Truman seemed to get on rather well. What do you know about that?

Phillips: I think there was no question about it. In the Truman "give 'em hell" campaign against the Dewey-Warren Republican ticket in 1948, President Truman fired all his rocks at Dewey and none, at least none that I can remember, at Warren. Old Harry said once, though not in the heat of that campaign, I'm sure, that Warren was "a Democrat who doesn't know it." That was high praise from Truman's point of view, but hardly calculated to boost Warren stock very much with Republican voters.

Fry: Earl Warren was elected governor of California three times--the only political figure, up to now, to accomplish that feat. I wonder if you would give me your views of the factors which made that possible.

Phillips: Hell's bells! That's a big order. In the first place, I suppose, his manner and appearance--a big man, above medium height, with a warm, pleasant smile which flashed on and off without appearing to be in the least contrived or synthetic--the kind of man Hollywood film makers would cast in the role of governor, the kind to whom the average voter is automatically attracted. But that, of course, was not the whole story. Warren's immediate predecessor, Democratic Governor Culbert L. Olson, was, if anything, even more the handsome gubernatorial type, and he lasted only one trouble-laden term.

When Warren first came to power, he displayed a faculty for dealing with public issues strictly on their merits, not because

Phillips: they fitted neatly into Republican or Democratic patterns. In his early days as governor, he seldom preached about "progressive" or "conservative" concepts. Rather, he was forever picking up issues "by their four corners"--a favorite expression of his--and taking a stand on what he believed to be their merits. He tried, very early on and repeatedly, to give California a very sweeping public health insurance program, for example, even before President Truman tried to put through a similar federal measure. The private-medicine lobby led the way in defeating both programs, which, in several respects, were broader than what the country now has more than a quarter of a century later.

I also ought to stress Warren's nonpartisan approach to public issues, not just at election time but in the day-to-day conduct of public affairs. The secret of his political success must lie somewhere in that area--closely connected, of course, with California's famous or infamous election cross-filing system of those days.

Fry: I imagine most Californians, especially the younger ones, know very little about cross-filing. Will you tell me something about how it worked?

Phillips: Okay. For most of the first half of this century, the cross-filing system was a fixture in California election politics in the state primaries--in the nomination of candidates for state elective office. Local offices were nonpartisan in those days, and still are largely today. So is the state superintendency of public instruction. But cross-filing was permitted at the primaries for governor, lieutenant-governor, secretary of state, and the rest of the major state constitutional offices.

A man could file at the primary for the nominations of one, two, three parties, or as many parties as were qualified for the ballot in California at the time. There was one stipulation: he had to get the nomination of his own party. If he did that, he could also have the nominations of as many other parties as he could talk the voters into giving him. For a long, long time California retained that system, just about the only state that used it. The rest of the country seemed to laugh at it quite a bit, and often appeared to regard it as a kind of manifestation of California's political craziness.

Fry: Sometimes, I suppose, a candidate might fail to get his own party's nomination, while winning another.

Phillips: Yes, occasionally. I seem to remember that San Francisco's mayor, Jim Rolph, long before he was eventually elected governor, ran for that office one year and picked up the Democratic nomination. But

Phillips: he was a Republican and was out of the running because the GOP failed to nominate him at that year's gubernatorial primary. That was a very long time ago, and I'm a little hazy about the details.

Fry: But you do feel, I take it, that cross-filing was sometimes a factor in Warren's many election triumphs.

Phillips: Oh, yes. It was not the only factor, of course, but it was an important one. Although he was a Republican, Warren, in his gubernatorial campaigns, customarily filed for both major party nominations.

The first time he ran for governor, against Culbert Olson, the incumbent Democratic governor, in 1942, Attorney General Warren ran up a tremendous vote in winning the Republican nomination. Olson, a strict Democratic partisan, did not cross-file on the GOP ticket. But Warren, cross-filing on the Democratic ballot, scored so large a vote in that party's primary that his defeat of Olson in the general election that fall was almost a foregone conclusion.

Then, in 1946, challenged by Democratic Attorney General Robert Kenny, Warren managed the seemingly impossible, obtaining both the Republican and Democratic nominations and thus, to all intents and purposes, winning gubernatorial reelection at the primary. He won his third term as governor with relative ease over Democrat James Roosevelt in 1950. No other Californian, up to now at least, has ever won the governorship three times. Only a handful--Hiram Johnson, Pat Brown (the father of our new chief executive) and Ronald Reagan, for instance--have won full four-year terms in the governorship twice.

Fry: I can see you feel cross-filing played an important part in California primaries for a long time.

Phillips: For nearly half a century, yes--so important a role, in fact, that Democratic Governor Brown (the first Governor Brown, of course) put a bill through the legislature outlawing the practice of cross-filing altogether. So I guess you might say that Warren was the state's last great nonpartisan, though I sometimes thought he was not altogether pleased when some of us called him that in print occasionally.

Fry: You're not trying to say, are you, that cross-filing was the principal reason for Warren's political success as governor?

Phillips: By no means, my dear. Hell, no. You can't be a nonpartisan just at election time and get away with it. If you follow that course, the people catch on to your fakery rather quickly. As Lincoln said, "you can't fool all of the people all the time."

Phillips: Although Warren was a Republican in national politics and, technically at least, a Republican in California politics, he brought an increasingly nonpartisan approach to the day-to-day conduct of state government and to his judgment of the big state political issues of his time. It was no accident, for instance, that he chose William Sweigert, a Democrat and a well-known federal judge now for many years, as his executive secretary and perhaps his closest advisor on political and governmental problems in those days. Warren seemed to take his stand on public issues after careful study and with a great deal of political courage.

Most of the time, this brand of personal honesty, and continuous study of himself and the issues of the day, led to conclusions which often could not be classed either as Republican or Democratic, but actually were nonpartisan in the best sense of that frequently misused expression. That, at least, is the way I am inclined to view his career in retrospect, both as governor and chief justice. His personality and his guts on tough issues seem to bear this out. I believe political writers are very seldom hero worshipers, by the way. But the tremendous votes Warren rolled up in his last several state campaigns speak for themselves.

Toward the end of his career in state politics, Warren seemed to have support from elements of almost the whole political spectrum, except perhaps the extreme Democratic left wing and the equally extreme right wing of the Republicans.

Fry: And cross-filing played a role in all those victories, did it?

Phillips: Not in his presidential candidacy in 1952, no. There is no cross-filing in presidential primaries. He sought the Republican presidential nomination seriously that year, heading a slate of seventy proposed national convention delegates, pledged to support him. That was opposed by a rival ticket, including many of the Republican Old Guard in California and committed to back Thomas H. Werdel, a conservative who, in those days, was a member of Congress. I've refreshed my memory of that vote. Warren's primary ticket smothered the Werdel slate, by 1,029,495 votes to 521,109. In some sense, it must have been one of Governor Warren's sweetest victories.

Fry: But ultimately, at the convention, General Eisenhower was nominated.

Phillips: Yes. Nobody seemed to know precisely where he stood on national problems of civil government at that time, but the country had a record of having given the presidency to some high-ranking military leader, usually a general, after every major war, from the Revolution on down--except after World War I, when General Pershing

Phillips: refused to run. Later on, of course, Harry Truman, a mere captain in World War I, ultimately reached the White House.

Fry: Speaking of Truman, I think you said he was rather fond of Warren.

Phillips: Yes, I think so. I think I've already mentioned that Truman once was reputed to have said that Warren was actually "a Democrat who doesn't know it."

Fry: Did you ever talk with Warren about anything of that sort?

Phillips: Oh, half-jokingly at one time, as I recall, in a private conversation. It was back in the days when the reactionary wing of the California Republicans evidently had very little love for the governor and plainly regarded him--some of them, at least--as too progressive. I asked him, as I remember, whether he had ever thought about switching to the Democratic party. I never quoted his reply, and he knew I would not, while he was living, but, now that he's gone, I imagine no great harm will come from doing so.

He gave me a small smile and (to the best of my recollection) replied about as follows: "If I ever did that, they (the Democrats) would probably welcome me with open arms, and begin making plans, I imagine, to retire me to private life at the next election." He was, as I hope I have managed to make clear, a man of great ability and deeply-felt social conscience; a political being who took his stand on public issues as he saw them, without looking for trouble but without running away from it either; a man who weighed his words carefully ("If I ever did that," for example); a person, in short, who combined idealism with the hard realities of a long life in almost uninterrupted public service, and managed to keep the two in remarkable balance.

II PHILLIPS' JOURNALISTIC CAREER

[Date of Interview: July 19, 1972]

Big Wayward Girl

Fry: You must have been the closest Warren-watcher in Sacramento.

Phillips: I think I've got everything in the book* that I know about the guy, probably. But scattered around the book, kind of informally, you know.

Fry: My complaint is that your book is all too short.

Phillips: It was written under rather difficult circumstances, really. I started the book and then my second wife became desperately ill and I wanted to finish the book for her; so I did, and just wangled it out some way or other. Oh yes, there are a lot of things that should have been done to it, but I didn't do them.

I thought I did better with the shorter thing I wrote earlier for--I can't think of the name of the people now--some outfit down in Santa Barbara.

Fry: A publishing company?

Phillips: Yes. It was a publishing company back at that time. That was a year or two before I took on the Big Wayward Girl book. Pat Brown was governor at the time; he wrote a foreword or something like that. Who was the Secretary of Interior?

Fry: Stewart Udall.

Phillips: Udall wrote a chapter on the kind of stuff he was interested in; Erle Stanley Gardner, a popular detective story writer, did himself a thing on crime in California; and so on.

Fry: This was a book on different phases of--?

*Phillips, Herbert L., Big Wayward Girl, An Informal Political History of California, Doubleday & Company, New York, 1968.

Phillips: Yes. We each contributed a section to it, and I did the one on politics. The book has a screwy name, California, the Dynamic State.^{*} It was a paperback. The people putting the book together wanted somebody to do something on politics. I'd retired by that time, so I did it, and called my chapter "Bucketful of Smoke."

By the time I wrote Big Wayward Girl, Reagan was governor; so I threw some stuff into the book about Reagan--a little bit at the end--but I did it after the main copy had gone in, you know. I said, "Well, we can't drop the thing right here without saying something about him." So I did a little ad libbing there, and I regretted that I did it because he was a worse governor than I thought he would be [laughter] in many respects.

So "Bucketful of Smoke" was briefer. And that's what interested Doubleday; they asked me to write a book because they'd read this other thing somewhere.

Fry: You'd certainly be the logical one.

Phillips: That little essay had a good title at least. I wish I'd saved it for the book I did write. Clair Engle, who was a United States Senator from California, used that phrase sometimes in his little ad libs--"a bucketful of smoke." I kind of liked it, so I thought if I ever wrote about those days I would probably use "Bucketful of Smoke." Then here comes Doubleday and wants me to do a book for them, so I couldn't use that same title again.

Fry: Did you work on that book with Luther Nichols, the West Coast man for Doubleday?

Phillips: He was my West Coast man. We corresponded by letter and phone. I'd never met him in my life, and I haven't met him yet. As a matter of fact, you'll get a laugh out of this, I think.

His father's name was also Luther Nichols. The father used to be a lobbyist for UC over at the capitol for a long time. His father was somewhat older than I was--but not too damned much, you know--and I took it for granted that this was the same Luther Nichols. We were exchanging notes on the telephone one day, and I decided this was his son [laughter]. I don't have any idea of what Luther looks like--the present Luther, I mean. His father is dead now, of course.

^{*}Adams, Ansel and others, California, The Dynamic State, McNally & Loftin, Santa Barbara, 1966.

- Phillips: In his college days, the father was a half-miler or something like that at Cal. I just assumed for quite a while that I was dealing with the father. The present Luther Nichols and I talked on the phone and exchanged cards at Christmas time and a lot of notes, but we've never met one another personally.
- Fry: Does that mean that your book manuscript pretty well sailed through, then, without having too much doing-over by the publishing company?
- Phillips: Not much trouble at all. I shot some stuff down to Luther, and he was doing a little bit at that end, and so were some other editors. They asked me for very few additional things.
- Fry: Did you go to UC?
- Phillips: No.
- Fry: Where did you go to school?
- Phillips: I went to school for a while in France after World War I.
- Fry: Where were you born?
- Phillips: In California. I went through high school here and signed on at the University of Dijon for a very short time. Then I got into the cartooning business and into journalism and dropped out.
- Fry: Well, how modern of you.
- Phillips: Yes. Or how stupid, or how confused after the war, or however you want to put it.
- Fry: Let me back up a little bit. Why don't you fill me in on how you got from your birth in California to your college in France?

Overseas Military Newspapers, World War I

- Phillips: I was in the Marine Corps in World War I. And so I went up to Germany with the first Army of Occupation after the war was over, and they had this thing going at Dijon; so I went down there for a very short while. Meantime, up in Germany the army took over the plant of Coblentz Zeitung--whatever its original name was--and started a daily newspaper in Coblenz where the headquarters of the Third Army, the Army of Occupation, was, you see. And they published what I believe to be the first daily newspaper that the American army ever did publish.

Phillips: The Stars and Stripes in World War I was a weekly down in Paris. It was a daily in the second war, I know, but in the first war Stars and Stripes was a weekly newspaper down in Paris. It brought together a bunch of men like Alexander Woollcott and Walgren, the cartoonist, and many other very talented people. However, that had nothing to do with me.

I was in Coblenz, on the AMAROC News: AM for American, AR for army, OC for occupation. And they took over this German plant and started putting out a daily morning newspaper. I kept seeing this big sign in places all over Germany, "Watch for the AMAROC. It's not an MP but it's got a damned big beat," and stuff like that, you know. And I figured, "Well, good."

You left word down at the desk to speak to "Pete," didn't you, just now?

Fry: Yes.

Phillips: Well, that's a nickname. It comes out of my cartoon character, Peter Verboten. Verboten was a German towncrier, you know, ringing a bell and telling the town people what was "verboden" (forbidden) and the like. So, I was in this little town, Rheinbrohl, in Germany, and I made a couple of sketches of this towncrier; and when our Army of Occupation newspaper came along, I turned the sketches into a cartoon panel and went up to Coblenz and sold it.

Then, I got to selling some other art stuff now and then, along with a French guy who spoke American-type English and knew the slang of Americans. I guess he was probably a French army interpreter or had some damned thing to do with translations at the Army of Occupation headquarters in Germany, our headquarters. He had been born in France, and at about the age of two he went with his family to Japan. His father was an early filmmaker. I don't know what kind of films he was making, but he was living in Japan and the kid went to school in, I guess, the American colony in Nagasaki.

This young Frenchman, of course, spoke Parisian French, but he spoke American English. He got to know some of the people on our newspaper up there in Coblenz, and got to going around to the cafes and night spots with a lot of us. So, I'd try out old stale American jokes whenever they came to my mind, and he'd tell me when one could be translated into French and still carry the point, you know. And if it could, why, then I'd draw a cartoon about it. We would ship them off to Paris and maybe sell a few. It was a great thing for a youngster, you know.

- Phillips: When you're young you never think your parents are ever going to die or anything like that. So, I was all for staying in Europe a while longer. I did stay there when the division came home. I stayed there for about a year or so in Germany, still in the Marines, of course, but on detached duty.
- Fry: And all that time you were working on the paper?
- Phillips: After the war was over, yes. The first Army of the Occupation consisted of four divisions of regulars and two divisions of national guard. Compared with where we'd been, it was a lot of fun; at least, I had a fine time on that newspaper. You couldn't ask for a happier time for a young guy that had just come off the lines: a hotel room; no mess halls or anything else; ate at German restaurants--took a vacation from rations. Glorious. A big correspondent's arm band, hah!
- Fry: So you could get in with freedom of movement and everything, I guess.
- Phillips: We had a pass to practically anywhere in occupied Germany unless we got in trouble, which, occasionally, some of us did when we got a little too playful.
- Fry: What did your parents do in California?
- Phillips: My father was in business, but he's been dead now for many years. Both my parents died when I was young. As I said, you never think when you're very young that your parents are ever going to die, but mine died just shortly after I got home.
- Fry: Let's go back and get what town you were born in, in California. Was your father interested in politics?
- Phillips: No. Oh, he was interested, but not a participant at all. I was born in a little town called Knight's Landing. I'm about a fourth generation Californian. All my grandparents came out here in the Gold Rush. The last one got here in about 1851. This damned thing [tape recorder] is running, isn't it?
- Fry: Sure.
- Phillips: I've often wondered why you people did this thing on tape. Somebody told me that you reduce this stuff to writing afterwards, and so I wondered why the tape business? People can take shorthand or whatever--
- Fry: Yes, that's right. It's just a lot easier than shorthand. Let's see, you were born at Knight's Landing?

Phillips: It's in Yolo County.

Fry: Did you go to school in Yolo County for your primary school?

Phillips: Yes, part of it. Then my family came to Sacramento in 1910. And, after my high school days and my years in Europe during and after World War I, I returned to Sacramento. And this city has been the principal base for my years in newspaper work, although a lot of it was done for papers and news services with headquarters elsewhere--the Hearst papers, the International News Service, the old Universal Service, and the like. All that was many years ago.

Fry: You said, speaking of education, that you "dropped out." That intrigues me because the students I know these days are dropping out or dropping in or thinking about it.

Phillips: I just dropped out accidentally, you might say. My dear old Grandmother Taylor would not have been happy about that, I'm afraid. Before she came to California as a bride in the Gold Rush days, she was a teacher in New York State where her family had moved from Massachusetts after the Revolution. She was a descendant of Governor William Bradford of Plymouth Colony. But you don't want to hear about our genealogy, do you?

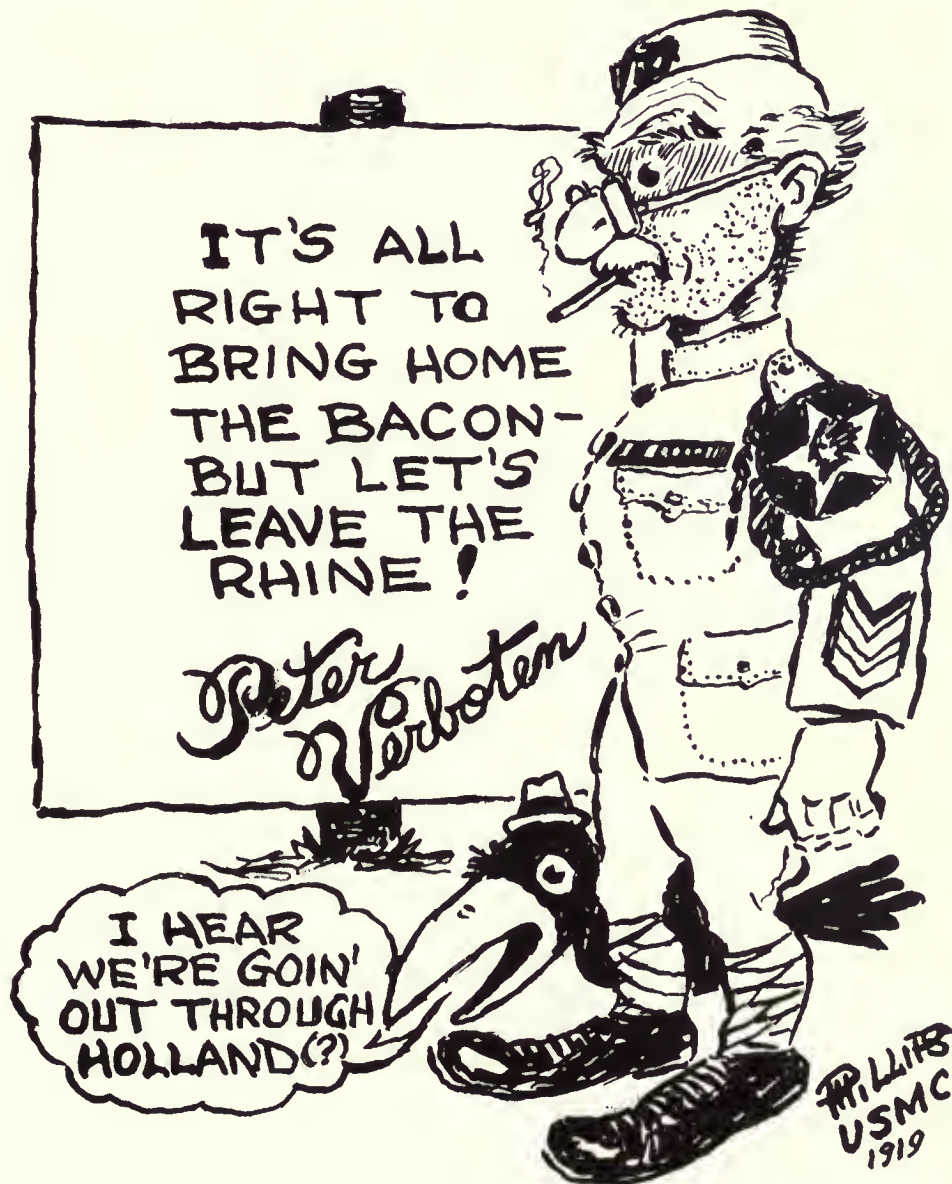
So anyhow, Grandmother Taylor was reading Charles Dickens to me, and biographies of American presidents and the like, long before I was ready to start school. So I could read and write when I entered primary school; and I guess I've been reading and writing most of my life since then. About the university drop out thing, it was really nothing. I was out of that Dijon frame of mind almost before I got into it. I took a flyer at the possibility, and then this plan to set up a daily army newspaper in Coblenz came up and I hopped into it. I was young and restless, like a lot of people were after the shooting war ended. There was no future in knowing how to run a machine-gun. But I could write and cartoon a little. So I invented the Ol' Man Verboten cartoon series, as I've already told you, and picked up the "Pete" nickname which will be with me, I imagine, until I die. It was the first name of Verboten.

Fry: I hope you have some Ol' Man Verboten cartoons left, because it would be kind of fun to put them in the finished manuscript to show what you did when you were young. [See next page.]

Phillips: It's not that important. You're dealing with Warren, aren't you?

Fry: We'd like to get a few paragraphs on your early years. So, after you got to Sacramento--

01' Man Verboten, a Phillips cartoon used daily in the AMAROC News, the Army of Occupation newspaper, published in Coblenz, Germany, after American forces moved up to the Rhine following the World War I Armistice.



Phillips: I went to school here and then went into the Marine Corps, when war was declared in April, 1917. I landed in France in June of that same year--Marine Brigade, Second Division, regulars. I've told you about getting into the newspaper business on that daily in Coblenz, Germany, after the Armistice.

Sacramento Cartoonist and Political Reporter

Phillips: Ultimately I came home about the end of 1919 or early in 1920. The first thing I did was get in touch with a man named Simpson, who used to be a news editor on the San Francisco Chronicle, I believe, and then had become editor and one of the owners of the Sacramento Union, the morning paper here. He had been around when Bud Fisher broke in with his "Mutt and Jeff" strip, and he had a soft spot in his heart for struggling young cartoonists, I guess, so he hired me.

Fry: As a cartoonist?

Phillips: As a cartoonist at that time, sure. Certainly not as a machine-gunner. So then I went through the chairs, you know: sports writer, cartoonist, writer on state and local government--a little bit of everything. Let's see, I must have spent a couple of years there, off and on, not counting a political campaign I worked on for a time. The last time I worked for the Union, I was briefly the city editor at age 24. Then I went to the Examiner. I represented them at the Capitol for about eleven or twelve years.

Fry: Were you a political reporter?

Phillips: Yes, I ran the Examiner's Sacramento bureau. Then I went to the McClatchy newspapers, where I was hired as a political editor.

Fry: What twelve years was it that you were on the Examiner?

Phillips: About 1922 to sometime in 1933. I moved to the Bee papers in the middle of '33 and worked there until about half way through '63--thirty years for them at the time I decided to retire.

Fry: Was that so you could write your book?

Phillips: No, that was not in my mind particularly at the time. I just wanted to get the hell out. You must remember that I had been in newspaper work by then for upwards of forty-five years--and in the business, to begin with, rather accidentally, by force of war and circumstances, do you see? And I'd finally got to like the whole

Phillips: thing quite a lot, especially my years with the McClatchy organization. Maybe I was getting a little tired. Anyhow, I decided it was time to quit.

Fry: So, you wanted to do something that you really planned to do? Is that what you mean?

Phillips: Oh, I suppose so, if you insist. I did get tied up with a couple of books later on. And went back to Europe one year. And did a little painting and the like. I think my health problems the last few years more than justify my decision to retire.

THE LONGER
I STAY AROUND
THIS SENATE THE
MORE I WISH I'D
TAKEN A COURSE
IN MIND READIN'!



HD
4-23

IT WOULD BE
HEALTHY FOR
SOME POLITICIANS
IF THEY COULD
HEAR WHAT SOME
OF THE OTHER BOYS
SAY WHEN THEY
AIN'T AROUND!



HD
4-20

III WARREN'S FIRST DAYS AS GOVERNOR

Fry: You were here from such an early date. Did you cover any of the attorney general period when Earl Warren was in that office?

Phillips: Only in a casual way. I was covering the main flow of politics and the governor and things of that kind, and had been for many years by then, you see.

I remember him, though. I don't remember him when he first got to Sacramento as a legislative committee staffer right after World War I, however. He had been an officer in the army, I believe, down in Texas someplace, and I think Sweigert was with him. Bill Sweigert can tell you a lot of stuff on that kind of thing, if he wants to.

Fry: I'm up to 1942 with Judge Sweigert now, so--

Phillips: I haven't seen Sweigert in years. But I had a nice note from him when my book came out. One thing or another, we got along fine. He's a nice person, Sweigert.

Fry: He's awfully busy.

Phillips: Yes. Too busy to get what you want from him?

Fry: No, but I kind of have to wait in line.

What was Sweigert's job in Warren's office?

Phillips: Well, governors can switch things around, you know. When I first came here, the private secretary was the top secretary, and the executive secretary dealt with extraditions and junk like that, and all the lawyers. Then they had assistant secretaries and junior this and that as time went on, and the stack got bigger and bigger. The private secretary was a big job under Hiram Johnson, for example, and under Stephens and Richardson and all the rest of them before Warren's time.

Fry: Merriam and Olson?

Phillips: Well, I've forgotten precisely when the change came, but I remember how Sweigert got his title. We were having a press conference with Warren after he'd won his first governorship election, and was planning his first budget and had come up here to talk with Governor Olson's outgoing finance director, George Killion. Killion was making the budget for the next administration, you know; a new governor can't get a budget together after an election and have it ready for the legislature at the proper time at the first of the year.

So the finance department was beginning to get the budget ready. Olson had invited Warren up here to attend some of the budget hearings in the finance office. Sometimes Killion would turn his office over to Warren, and a lot of news people would gather around a table and we'd have a press conference with the incoming governor, although he hadn't taken office yet.

We're getting back to why he called Sweigert executive secretary, and we're certainly beating around the bush to get there. Anyway, Warren brought Sweigert up and introduced him as one of his close men who was going to be in his secretariat; and so we asked him what his job would be. As I remember, Warren turned and practically asked Sweigert which he wanted to be, private secretary or executive secretary. Executive, I guess, sounded bigger, and so--

At any rate, that represented a staff switch, because the executive secretary then became the top secretary, and Warren gave the private secretary title to a stenographic and legal assistant who became what business people speak of as their confidential secretary.

Fry: That wasn't Helen MacGregor?

Phillips: That's who it was, yes. Helen MacGregor. And Helen never figured, on the surface at least, in political doings at all. She was just his confidential secretary, and, as such, very important, but she was called private secretary. And Sweigert became the top staff man, called the executive secretary.

By the way, there's a girl that can give you a lot of stuff. Put her name down. Marguerite Gallagher.

Fry: Oh, I talked to Marguerite, yes.

Phillips: She's a very smart girl. Did she know the stuff you wanted or not?

Fry: I think so, yes.

Phillips: She could if she wanted to. She went on with Knight and became-- oh, they invented some kind of title; they do that sometimes, you know. Not assistant governor, obviously, but administrative something.

Fry: Administrative assistant?

Phillips: That would be it. But she had been Sweigert's secretary in the early years of Warren's governorship. She was there all the years that Sweigert was there as secretary. A very nice person. And so was Sweigert.

Fry: In his day-to-day press relations, was it easy to get in to see Warren and ask him questions?

Phillips: We held regular press conferences with him. The history of press conferences is kind of interesting. President Roosevelt really broke that one wide open. We had occasional California governorship press conferences in the old days before that, but often they were brief and unproductive. Some of them--Governor Richardson, for example, handed out everything typed on little pieces of flimsy, not even full sheets. I guess it was part of his economy drive. We saw him, of course, occasionally, but he never seemed to have much time for press conferences.

But when Roosevelt came in with these regular national press conferences, that system seemed to spread around the country quite a bit. So, anyway, some governors had regular press conferences--Rolph, Young, and, I guess, Merriam did, too. I don't have many cheers for Merriam, but I think he did have his press conferences. Warren did, too. He would have them at a regular, scheduled time.

Fry: These were weekly?

Phillips: Weekly or twice a week, something like that. We had them quite regularly in Warren's time. You've got the ground plan of the state capitol pretty well in mind, don't you?

Fry: Yes.

[The following four-page segment is a rewritten script by Mr. Phillips.]

Phillips: I don't know how interesting this will be to you, but the relocation of the governor's offices and the reassignment of space for several of the major departments, during Warren's time, was a significant indication of the huge growth of California's state government, especially in the 1940s and 1950s, which the course of our talk is now reaching.

Fry: All right, Go ahead.

Phillips: For many years, the "corner office," as the governor's quarters are called in California political slang, was crowded into a relatively small group of rooms in the southwest corner of the old capitol building. That had been its cramped location for decades. It continued there, with minor renovations, during the administrations of Johnson, Stephens, Richardson, Young, Rolph, Merriam, Olson and, finally, Warren.

Then the new East Wing was added to the capitol. And Warren was the first state executive to occupy the much larger and more elaborate suite of offices and meeting rooms provided in the southeast corner of the expanded Capitol complex. Traditionally, of course, it continued to be called the "corner office."

Fry: Could you just drop in and ask Warren for a specific part of a news story?

Phillips: I don't think one just "drops in" casually on a governor. But by appointment, if he wanted to receive me, yes.

IV STATE AND NATIONAL POLITICAL AFFAIRS

1936 and 1940 Republican Conventions

Fry: Now, on state and national political activities, I'd like to ask you about Warren's role in Republican national conventions in the 1930s, if you remember, and after that.

Phillips: Well, Warren continued to be a figure of consequence in the Republican party in national politics after he reached the governorship, and he was active even before that, although his stance in California governmental affairs was considerably more nonpartisan. When you ask about the 1930s, you're concerning yourself with the Roosevelt New Deal days and Democratic recapture of the White House after many years of Republican control.

The Democrats took a new lease on political life in many parts of the country and picked up governorships in many states during that period. Their efforts to unseat Warren as governor failed in California, however, as I've already explained, so he became a natural choice to head California delegations as a favorite son at Republican national conventions during most of the years of the Roosevelt presidential incumbency. That practice started back in 1936 when Warren was still district attorney of Alameda County. Except for 1940, Warren continued to head the GOP convention delegation from California during the rest of FDR's years and on into Harry Truman's presidency as well.

Fry: To whom was the California delegation pledged at the 1940 Republican National Convention?

Phillips: To the favorite son candidacy, so-called, of State Senator Jerrold L. Seawell of Roseville, who was president pro tem of the legislature's upper house. That was the year of Wendell Willkie's nomination by the Republicans, you remember.

Fry: Do you have any idea why Warren didn't head the California delegation in 1940?

Phillips: If there was any one single, compelling reason why Warren did not press for California favorite son designation in 1940, I'm afraid it escapes me at this late date. I can think of several reasons why he may have decided to stay out of the national primary that year, however.

Roosevelt, the unbeatable--as it turned out again--was still in the White House, and having the Republican primary endorsement in California would not have meant a great deal. Moreover, Warren had just won the attorney generalship the previous year and was getting settled into this new job in 1940. In retrospect, it's fair to assume, too, that he had his eye on the governorship by then, and attention to California affairs was highly important, especially with Democratic Governor Olson in almost constant difficulties with the state legislature.

At any rate, Roosevelt did carry California by more than 500,000 votes in the general election of 1940. And Warren did take the governorship from Olson in the wartime election of 1942. That launched him on his long gubernatorial career, and, with the benefit of hindsight, it is easy to conclude that he was very wise politically to skip an active role in the losing GOP presidential campaign performance of 1940.

Fry: You were covering the Sacramento scene in 1936 when Warren nominally headed the delegation which was opposed to the Hearst-Merriam-Landon forces.

Phillips: Yes, I was. And a very long time before that. But Warren was still only a district attorney at that time. It was three years before he became attorney general and began to emerge as a California political figure to be reckoned with. He did not become governor until 1943, and he was light years away from his career as Chief Justice of the United States.

I understand more than 140 people already have been interviewed on these UC library tapes, and somebody, I imagine, emphasized 1936 to you as terrifically important. If so, I'm afraid 1936 rings no loud memory bells for me. Frank Merriam was still governor at that time. It was the year Roosevelt beat the hell out of Landon.

California Republican Assembly

Fry: Now I'd like to ask you about the California Republican Assembly. How strong was it in the early or middle 1930s?

Phillips: It was extremely strong for a very long time--in the selection of Republican nominees for the principal statewide political offices, and in its indirect effect in statewide general elections, too. It was an unofficial system of choosing a single strong GOP candidate for each of the statewide political offices--the choice made by a fact-finding committee of this unofficial political organization, and that choice later ratified by a CRA convention--all this done in advance of the state's regular primary elections.

That type of maneuver was extremely interesting in back of shifts in voter sentiment which were taking place, the emergence of new political personalities and the like, which marked the growing popularity of the New Deal. After Roosevelt came in, the Democrats continued to enlist more and more voters in California, to eclipse the Republicans by far.

[End of rewritten segment.]

Fry: In '36 the Democrats passed them, yes.

Phillips: But voters continued to elect Republicans to state offices, you see, even though California went Democratic nationally sometimes. Quite often under Roosevelt, and Truman, too, for that matter, but Truman just barely made it that time he ran.

Fry: How did CRA get started?

Phillips: They got started as a smart political gimmick (and they'll be quick to deny this, saying it was just a kind of grassroots rallying thing). What they were actually doing was handpicking candidates for all the state offices. They didn't touch legislative offices very much at all.

I've been at many of their conventions and what they did was, they had a little fight there among themselves at their gathering, caucus-type thing, you know, and came out with a single candidate for every job. It took the Democrats quite a long time to wake up and do the same thing, which they did ultimately. They had a California Democratic Council, which was much the same thing, but later on.

But the CRA would have a little caucus fight in Bakersfield or some place like Fresno, and there were not very many of them. Many of their leaders were not state officials at all. Some of them were. They would endorse some person for governor, lieutenant governor, secretary of state, attorney general, and right on down the line of the principal state offices. Before that, they would have a fact-finding committee--this was cute: a fact-finding committee which would "find facts" on these people and recommend to the nominating committee whom it ought to endorse. The fact-finding committee was the one that was meeting, you see, and not the entire

Phillips: California Republican Assembly, which was all a paper thing, you know, compared with the general forum that you get at a regular national political convention or a state convention or a thing of that kind.

Then they would later on have a meeting of the whole membership, or as many as would show up, and ratify these things. The net result was that they had a clean--maybe clean is not necessarily the right word; at any rate a neat ticket with one man for governor, one man for lieutenant governor, one man for secretary of state, and one man for attorney general, and so on, so that while they had a Republican primary election to go through, they had no serious competition, you see.

There was nothing to prevent another Republican from filing, and sometimes they did, but the power of this group was such that it often intimidated others from entering; it was just a little complicated to buck this thing. They used this technique for years, always denying that they were handpicking candidates. They had to cope with this great big Democratic registration.

Then the Democrats would have multiple candidates for every position, and have a big primary fight and everybody would get bloody, you know, and so the Republicans would frequently win. With one guy. However, in the long run Earl Warren became governor and ran his own show.

Fry: Well, was this 1936 business a battle of newspapers, too? With Chandler's L.A. Times, and the Chronicle and the Tribune (and the Bee?) all behind the Warren delegation, and the Hearst papers behind the Landon delegation--

Phillips: Well, the Bee was behind Roosevelt, of course.

Fry: Oh, I see.

Phillips: They may have been for Warren so far as the GOP ticket went. I think they liked Warren all right and supported him quite often in later years.

Fry: Were you on the Examiner then?

Phillips: No, I was working for the Bee. That's why I know more about the Democratic side at that time--not that they were a Democratic paper at all, but they were Democratic in support of the New Deal.

Fry: They were Rooseveltian?

Phillips: Yes, they were, and during the entire time the first time around.

Phillips: But the whole texture of California politics in these years--the early Warren days, you know--ties in a great deal with this California Republican Assembly. I mean leading up to the time Warren became attorney general and later governor.

Fry: That really interests me, because I understand that Earl Warren felt that the CRA was rather inconsequential in his political life, that they were not broadly enough based to really be effective, and that he told those boys to get themselves a broader base--that they were too selective--

Phillips: That's right. I assume that he told them that. He was his own man, especially after he got into state office. That's the reason the extreme right wing of the party was mad at him, finally, because he was a more independent and progressive man than any of them had dreamed, you see--and maybe more than he dreamed himself as a younger man. I don't know.

Warren's Evolution

Fry: I wondered how you saw him. This is always the \$64 question about Warren. Did he really change from a rather classical conservative to a liberal, or was he always--?

Phillips: I wrote a little essay for The Nation* one time on the evolution of Earl Warren, but I think I've already told you about that.

These things are all so gradual in a man's life--Warren's life or any other person in public life--but I suppose their evolution comes so gradually that possibly they never recognize it themselves as such. Sometimes the rest of us seem to think we see it. There's no question in my mind that he did evolve considerably.

Now, maybe he had these things in mind all the time, but bear in mind that Warren's first days in government were legal. The first time I really knew him he was district attorney of Alameda County and he used to come up here to represent different causes dealing with criminal law before legislative committees. His concern then, naturally, by nature of his work, was with law and order questions and things of that kind.

The piece I wrote for The Nation was the crystalization of my view of Warren much later on, as he was in the 1950s. My contention is that he had greatly evolved during the intervening years.

Fry: When did you first start looking upon him as a--progressive? (I

*See appendix.

Fry: don't quite know what word to use.) When did you first start looking upon him as someone who perhaps was not an old-line Republican or a conservative?

Phillips: When I began to see him operate as governor.

Fry: Right after he came in as governor?

Phillips: He was his own man, pretty much, from the beginning of his governorship. I don't say that he turned his back on all his old political friends; but after all, he certainly didn't follow the political say-so of the Oakland Tribune, a paper that certainly was very much the leading paper of his community in his days as district attorney. He lived in Oakland, you know. And, after all, Joe Knowland was a friend and supporter of his for many years.

Fry: That was another thing I wanted to ask you about, because so many people equate Warren with the Tribune; and yet what is the evidence that there was a lot of influence that went back and forth there?

Phillips: I don't think that it was necessary that there should have been. After all, Warren was dealing with law enforcement matters as district attorney. He was a law enforcement man and a good legal officer. He was a registered Republican, and I don't suppose there was any reason for differences to spring up between the two at all. They were on the same side politically. The only thing I can think of off-hand is that afterwards--after he became governor--he did appoint Bill Knowland to the United States Senate after Hiram Johnson's death.

Fry: And how was that looked upon at the time? As a payment of debt?

Phillips: I suppose, something like that. But Warren knew the man. As a matter of fact, Bill Knowland was of a younger generation, and his father was kind of a pleasant old conservative, you know, who had been in Congress. And Bill had handled himself pretty well as a state legislator. I think it may be an oversimplification for some people to say, "Well, Warren's just an old Knowland boy." He wasn't that at all. I don't think one can fairly arrive at such conclusions about Warren.

He never seemed to be shouting, as politicians sometimes do, about progressives' and reactionaries' views of things, although he used the word "progressive" quite frequently, and with specific meaning, toward the end of his career. By then, he had grown and was his own man, you see. And that was the thing people really liked about him. Or hated, I suppose.

Phillips: Of course, he took over brilliantly as governor. He was pretty much the man who made the policies in those days. Some people in that position have a little bureaucracy around them, you know--idea men. I think this governor had his own ideas. I don't say he didn't have any advisors. Sweigert was a trusted advisor, for example, and others, no doubt. You don't work in a vacuum.

Warren was a very sincere kind of man who reached his own conclusions. After all, the man banged his head against that health insurance thing two or three times in a row before we had anything like that going nationally, you know. Truman did bring in something nationally a bit later. The Whitaker and Baxter Company, who were hired to fight Warren's measures, went to work on that one, too. Then they moved to Chicago to take charge of it.

Fry: They actually moved some offices?

Phillips: Oh, they operated out of Chicago during the fight with Truman on the health insurance thing, you know.

Relatively early in Warren's days as governor he tried two or three times to get a good state health insurance program, and members of the medical fraternity screamed and yelled. I think that's when some of the reactionary clowns began calling Warren a socialist and things like that. It didn't seem to bother him very much.

Fry: Did you start to say a while ago, when I interrupted you, that there were some things that he and the Knowlands didn't agree on?

Phillips: Well, I'm only assuming that now. I was too young to know what Joe Knowland felt about things or how he voted when he was in Congress, but his reputation was fairly conservative. When Warren was district attorney and attorney general, I suppose nobody thought of him as terribly conservative or terribly progressive.

His method of campaigning was extremely effective, too, you see. That's where what I told you about the California Republican Assembly ties in. He didn't let these people push him around. He didn't seem to maintain any year-round political organization at all, except his immediate appointees in the state government. They put together a campaign organization, and you have your man. Now, I'm not talking about his running for president; I'm talking about the governorship and how they put together a good state campaign organization--and this man very seldom left the opposition with very much to shoot at.

Look at the way the Democrats struggled to beat him. Of course, he beat Olson, who was a man more sinned against than sinning, I often think. He was the traditional Democrat, you see--partisan;

Phillips: I don't think extremely unfair to other people, but certainly he left office a very unpopular governor. Warren beat him. So, that was against, shall we say, a true Democrat or a traditional Democrat, or whatever. Olson had been in politics as a state senator in Utah before he came here.

As a matter of fact, you should make a note if you haven't already done it on Warren; it's an interesting footnote, at least. Over the years very few Californian native sons have made it. Do you realize that?

Fry: As governor?

Phillips: Yes. Maybe you've already been over that ground. Hiram Johnson was a native Californian, and then you don't run into anybody else native-born until Jim Rolph. Young came from New England, Richardson came from Michigan, I believe. Most of them were people who came to California from someplace else, until you run into Pat Brown and Earl Warren. Stephens was from somewhere else. Merriam was from Iowa or some other place in the Midwest. Then Olson was from Utah. Knight was from Utah, I think, although he came to California when he was quite young and went to Stanford.

National Conventions and Campaigns

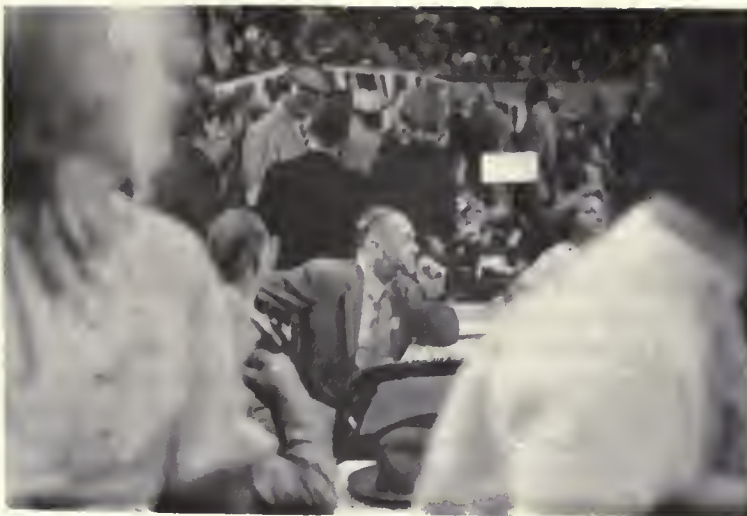
Fry: California had these enormous population influxes for the electorate, too.

Phillips: That's what I try to deal with a little bit in my book--those kind of intangible things that are really the guts of the whole damned political operation.

Fry: How the electorate changes--?

Phillips: Yes, it changes. It is like this recent Democratic convention. [1972, the first year delegates were selected by direct election in each Congressional district.] Somebody has said that eighty per cent of these people at the Democratic convention this last time had never been to a convention in their lives before--not as delegates, at any rate. Some of them may have been yelling on the sidelines in Chicago, but mostly they behaved themselves rather well. It took a great deal of discipline. Although I don't pay very much attention to these things anymore, I watched that convention right through, from bell to bell.

Fry: Were you at the '52 Republican convention when Warren was a serious candidate?



Herb Phillips at Democratic Convention in Philadelphia.



Press watching floor demonstration at the convention.



Left to right: U.S. Chief Justice Earl Warren, Governor Edmund G. Brown, Herbert L. Phillips.

Phillips: Yes. Also at the ones before that one where they tried to make him a candidate and he refused to go--1944 and '48.

In 1944 they tried to get him for vice-president the first time Dewey ran. I don't know whether that ever was emphasized particularly; there was no secret about it, I guess, but I don't recall whether it ever got into print very much. We had a little dinner after the convention--Warren and some of his organization and the California press. And it came out that Dewey had approached him to be his vice-presidential candidate. Warren wouldn't go.

Fry: And that was when he first told you about it?

Phillips: Well, it just happened. I've forgotten whether he put it in so many words, but it came out clearly enough, as I recall it, that he had been offered the thing and that he had turned it down.

And after all he had lots of problems to deal with in California; and it may have been--he's always been a pretty shrewd man, politically. It must have been evident to most people that Roosevelt was a hard man to beat. At any rate, it was just as well that he didn't run, because, of course--

Fry: And you think that he might have foreseen this?

Phillips: I don't know whether it was that, or that he was committed to what he was doing out in California. I felt it was a combination of both, perhaps. He was certainly a political realist.

Fry: I wanted to ask you especially about 1948. Did Warren really go to this convention without any idea of--?

Phillips: --being the vice-presidential candidate?

Fry: Yes, or even being asked for vice-president?

Phillips: Who really knows? I suppose if you've been asked once, well, you probably figure that you're going to be asked again. After all, California was getting to be a big state and--

[Interruption]

Fry: You were talking about whether or not you think Warren was expecting the vice-presidency when he left for the convention in '48.

Phillips: I have no way of knowing, really. Except I do say that he was offered it the first time Dewey ran, so it wasn't--I always thought of it this way: he certainly wasn't eager for it. After all, who sets his heart on running for vice-president? But he was a Republican, and this was the third California delegation that he'd headed,

Phillips: pledged to him. So, you can't always pick up your bat and ball and go home, I suppose. I don't know, I'm just guessing. That's all I can do is guess, because I can't say that he expected this to happen or that he didn't expect this to happen. The delegation was definitely pledged to him.

But oftentimes in those early days before '52 he had made it known that he would release the delegation, that he was not struggling to become the presidential nominee.

However, he was serious about it in '52, and he made that very clear. I gather that Taft was too conservative for him and, probably, like many others in political life at that time, he had no idea for sure what Eisenhower would be like politically. He was a general, that's all. Somebody said at that time, I've forgotten who it was, that Eisenhower talked to a bunch of businessmen, shall we say, before the convention took place--Eisenhower said such and such, you know, in reassuring tones; and then a bunch of labor people came in, and they came out happy, too. He said something that pleased everybody, and I think that's the way he went to the electorate, really. It's hard to beat popular generals in this country.

Did you ever stop to think that after every war we've ever had we elected a general for president--except my little war; Pershing refused to run. I kind of respect the guy for it. He's a good soldier, but he wasn't a politician and didn't have a presidential yearning of any sort, evidently, and he declined.

Fry: I'd like to ask you about Warren's relationship with Dewey. Was Warren straining at the bit to talk more on the issues in the 1948 campaign when he was out stumping for the ticket? Were you on that campaign train?

Phillips: Just in California and at the conventions. I didn't try to make that trip around the country with him because all the other candidates were in California at that time and I wanted to cover home base.

Fry: What was your impression and the impression of the news fraternity at that time?

Phillips: Some of them indicated to me afterwards that they didn't find the campaign oratory on that tour with Warren anything to set the world on fire. It was a nice trip, no strain on anybody. But the vice-presidential candidate either has to get off the ticket or go along pretty much with the presidential principal. You can't very well go off at cross purposes. You are just the second man on the ticket, after all.

Fry: I wondered if he ever had a little private chat with you and vented his frustration? (I'm assuming that he was pretty frustrated, but I may be wrong.)

Phillips: I suppose so, but he didn't voice his frustrations to me. At any rate, it's not a bad guess, I wouldn't think, because just from the standpoint of campaign techniques-- Wasn't it that year that Dewey got into some quarrel with the engineer of the campaign train or something?

Fry: Yes.

Phillips: That's an outrageous blunder to make. You don't go out and jump on some organized labor guy and give him hell because the train didn't go as you wanted it to. (I've forgotten what Dewey's complaint was.) Warren never did that kind of thing.

Warren was always kind of a logical man about things. And in the earlier days, as I've tried to say, he may have been much more progressive than he himself knew--or had occasion to say, let's put it that way. Not just knew; he must have known in his own heart how he felt about things, in his early days. But his job didn't actually call for that. As prosecuting attorney and as attorney general, he had to interpret the law and live with the law--that kind of thing. After all, the attorney general, in addition to being legal advisor of the state government, is the chief law enforcement officer of the State of California. That's not to say that he was not growing any more with time, because persons in those positions have got to grow very rapidly. Or fail miserably.

I think I said in my book that one of the pleasantest victories for Warren was winning the primary elections in both parties in 1946. And winning his last GOP presidential primary, of course. People who didn't like him liked to say that he just filed on both tickets; and of course he did, and everybody did for years. A great majority of Californians must have liked him or he wouldn't have won so often by such heavy margins.

V OPPOSITION TO WARREN

Democratic Appointments and Opponents

- Phillips: His enemies would say that he won his gubernatorial elections because he filed on every ticket. But you don't do that in the presidential primary. It's confined to the voters of your own party. There's no way to cross-file in the presidential primary. Those Werdel people took him on in 1952 because he was too progressive.
- Fry: What forces were behind that Werdel ticket? We know oil was.
- Phillips: All the most conservative groups in the Republican party.
- Fry: Was it conservative, or was it just a collection of people who at one time or another had been disgruntled by Warren?
- Phillips: Oh yes, that too. The thing that they were disgruntled about was usually-- I believe you said that Warren felt the CRA was not widely enough based. He may have felt that some of these county central committees around the state were not very broadly based either. And there were those who were disgruntled because he made his own decisions as governor, although he listened to the advice of any who came to him.

I wasn't sitting at his elbow, privy to every thought in his mind by any means; of course I wasn't. But I was there watching things, and I'd watched for a long time before he came along. And I couldn't help but think that he made his own decisions pretty much. He was not easily pushed around. And he reached his own conclusions about issues and political personalities. People in his administration weren't necessarily 100% Republicans.

[Inserted later by Phillips:]

Some of your questions frequently place me in the embarrassing position of sounding like a licensed member of the Earl Warren rooting section. You present your inquiries with complete fairness and I try to answer honestly, and yet occasionally I feel that the

Phillips: question and reply are not particularly pertinent to any picture of the man as a whole. I think sometimes, very understandably, you may be running back in your mind through many, many interviews with a hundred or more other people who "knew Warren," and bouncing some of their puzzling comments off me. That is fair enough, I suppose, depending on how well they knew Warren. Not just as a friend--or enemy, for that matter--but how long and under what circumstances in his important years as top man in the California government; and, importantly too, how many other California executives they have known and watched in action, how much experience these interviewed persons have had in evaluating a governor's performance and comparing it with the performances of other state executives.

At risk of sounding a little pompous and stuffy--from which I hope the gods will preserve me--I must say that I would not give a dime for the opinions, for instance, of some person who had worked a short while, perhaps, in one of Warren's many campaigns, or briefly on some state or political job while Warren was around. Nor do I, at this late date, try to retain in mind precisely what newspaper organizations supported or opposed him in each of his many electioneering enterprises. I am interested in what kind of a public man he was, and in measuring his stature against that of others who have had similar offices and responsibilities. I am getting a little old, and so is Earl Behrens, the retired political editor of the San Francisco Chronicle; but we are among the very few still around who have known some eight or ten other governors with whom comparisons can be made.

Forgive me, my dear. No criticism of you intended. Just hand me my cane and I'll get down off the soap-box. Next question, please.

[End of insert.]

Fry: I wanted to ask you about the Democrats, and whether it appeared to you that sometimes Warren won because the Democrats just handed it to him--like in '46 when Bob Kenny ran against him, and in 1950 when Roosevelt ran against him?

Phillips: He won so handily, I guess it looked that way sometimes. I started to talk about the people he beat. I said he beat Olson, the traditional liberal Democrat. There were no gray areas in what he said. There was a sharp line dividing him from Republicans. He was traditional and very liberal and, for California at that time, possibly too liberal. At any rate, the voters threw him out, and the next time the Democrats brought up Bob Kenny.

Fry: Do you know anything about how Kenny was selected?

Phillips: I do know a conversation I had with him. I don't know whether

Phillips: this should go on the record or not. It was a private conversation he and I had when they were knocking off all these people who were being suggested. I mean, politics seemed to knock one off, or a guy decided not to go. I said, "You're going to be nominated for governor," and he said he didn't want it. He joked about how he was a big political boss--not quite that expression, but the man behind the scenes--and he wasn't going to be a candidate. So I said, "Who would you choose?"

He said, "How about Ellis Patterson?" And we had a little laugh--at least I did. Patterson's day in statewide elections had come and gone. He had been lieutenant governor under Olson.

Fry: How viable was Patterson at that time? Not very?

Phillips: When Kenny ran, Patterson was out entirely. I've forgotten exactly when he went up to Congress, but he did serve there for a while.

Fry: Was Gordon Garland considered at that time?

Phillips: Oh, I think Garland pushed himself into some of these things. Yes, he's been around for years and years and years.

Fry: Is he still here?

Phillips: I met him just a while ago when I was looking for you down in the restaurant.

Fry: He was the director of Motor Vehicles under Warren.

Phillips: Oh yes, and he was speaker of the assembly for a good many years--and then a lobbyist.

Fry: I wondered how seriously he was considered as a possibility to run; or was he too conservative for the Democrats in 1946?

Phillips: I've forgotten whether he actually ran for governor or not. Not important. He was too conservative for the Democrats to run him against Warren.

Fry: Pat Brown and Oliver Carter were in the picture at one point.

Phillips: Carter was just talked about. And Pat didn't want any of it. Not that year. He ran for attorney general. But I was amazed, and a lot of people were surprised at the type of campaign that Bob Kenny put on. He started out by saying--he said to me and to another reporter, Newt Stearns, there at one time--that it was nice to have a governor propose health insurance and all the things that had begun to come out in Warren's program--basically progressive

Phillips: things--but the legislature we had over there just banged it down anyway, so he didn't accomplish very much. Kenny said that the fact that Warren stood for these things was fine, and it's fine to have a governor like that, but where do we get, governmentally, if the legislature just knocks them down every time?

It always seemed to me you have to interpret some of these things. Somebody else might interpret them differently, I'm sure, but it appeared to me that this may have been a little too complicated a gesture for voter understanding--saying that it's fine that Warren does these things but the legislature will knock them down again and again; but if we elect a Democratic legislature and a Democratic governor, then it will all be different. That was what he was implying, at any rate.

The labor people counted heavily at that time, particularly the CIO. It was before the CIO and the AFL joined forces. And they were still hanging onto the idea that Warren, I suppose because he was a registered Republican, was not progressive enough for them. He certainly appeared to be, but at any rate they weren't so kind in their attitudes. So, the next thing you know, Kenny's campaigning on the strict party line, not saying very much more about Warren having stood for good things that unfortunately the legislature knocked down every time; and I never heard him say much more about it again in the campaign.

Kenny was a bright man, and I'm sure he still is, and he was not unable to think on his feet. He could have hit a little harder than he did, one would think. His heart wasn't in it as much as it might have been. He made it look at times like a sham battle.

Fry: Was his going off to the Nuremberg trials before the primary a result of some ambivalence?

Phillips: I don't have any idea of why he went there. But, at any rate, he did not conduct the kind of campaign that I would have thought he would--or that he was capable of conducting.

Fry: Could he have demolished Warren?

Phillips: I don't know whether he could have demolished Warren or not. I seriously doubt it. But he could have put on a different kind of fight, because he had brains and a certain amount of brilliance. One would think he could have won his own party nomination, at least.

There you have that capable kind of guy, and Warren knocked him over with a double nomination. Then in 1950 they brought out the sainted name of Roosevelt and they thought they were going to

Phillips: get Warren with this gimmick, perhaps. And, of course, later Jim turned out to be a fairly good congressman, I guess. But he was starting from nowhere and he moved to California and turned right into the main squeeze of the California political picture and ran for governor. Warren didn't even get up a good sweat beating him. So, by this time, some of the Democrats had come to the reluctant conclusion that maybe Warren was as progressive as some of us thought he was, or some of them began to feel that perhaps he was unbeatable. He was the only governor that got elected three times, you know. Hiram did it twice and Pat Brown did it twice, on their own merits, and Warren did it three times in a row. And, later of course, Ronald Reagan was elected twice.

Fry: But when you consider that Warren was so partisan in between times in his national elections--

Phillips: Only as a nominal candidate for President, except for '52.

Conservative Republicans

Fry: Do you know anything about Joe Shell's role in the Werdel ticket and those forces [in 1952]?

Phillips: Oh, he was active in things. As a matter of fact, he was a very conservative assemblyman and a floor leader over there in the assembly. He was a cheerful, pleasant guy to talk with. Joe was a pretty good halfback, I believe, at USC.

He's a very conservative fellow. He believed what he stood for. I don't mind these guys that are ultra-ultra if that is how they feel. There were some who professed the same thing who were not as serious about it as Shell. That was the reason he stayed in the race against Nixon, I guess.

He said he was going to run for governor in 1962, and he did. He was the only one who stayed in the primary against Nixon.

Fry: Shell ran against Nixon in the governorship primaries.

Phillips: Precisely. That's what I'm saying. A lot of Republicans were going to run originally, you know, after Nixon said flatly here in Sacramento that he would not seek the governorship. Instead, he said, he was going to help the other Republican candidates around the country in any way he could. He said there were a lot of good Republicans who could step forward in California and run for governor, but he was not going to. However, just a short

Phillips: time afterwards he did, of course. And, except for Shell, most of the other Republicans ran for cover, not the governorship.

Nixon was titular head of the party as a defeated candidate for President, and he was "not going to run for governor." It looked, however, as though some of his leaders here in California were working hard for him at the same time, you see. Ultimately he became the candidate and took a beating.

Fry: Were you there when he lost the governor's race and said he was out of politics for good and he wasn't going to be "kicked around" anymore?

Phillips: I was not down in Los Angeles when he made that statement. I got a kick out of it. But I had a feeling we'd hear more of him. And, heaven knows, we did!

Fry: What was the relationship between Joe Shell and Keck? Was Shell separate politically from Keck and the Keck oil company?

Phillips: I never did know all the intricacies of that. But Shell was in the '62 primary and in the delegation attempt to block Warren in '52, too.

Fry: I thought that there might have been more than meets the eye that happened in 1950 in the governor's race, on the part of all those interests. Early, before the ticket really settled down, there was talk about people running against Warren for the Republican nomination for governor.

Phillips: Oh, yes; those plans hardly got off the ground. How could the Republicans possibly walk away from him? I think a lot of Democrat leaders thought privately that "he'll go away someday and then we'll beat them," and they didn't. That's the funny part.

Fry: That's right; then Knight got right in.

Phillips: Knight got in there and labor got everything they wanted. And the Democrats brought out Mr. Nobody.

Fry: Who?

Phillips: I mean that simply from the standpoint of recognition in statewide politics: Richard Graves [1954].

Fry: Why did they bring out Richard Graves?

Phillips: God only knows. It surprised a lot of people. Mind you, Graves was a very intelligent young man in those days, and probably still is.

- Phillips: Graves, as a lobbyist, had represented interests in the legislature for the League of California Cities, and had a great deal to do with helping on that highway financing program that Warren had.
- Fry: The 1947 highway bill.
- Phillips: The cities wanted these freeways and stuff built, you know.
- Fry: He was quite an authority on state and local government.
- Phillips: He was. A very intelligent fellow, and well liked, I suppose, by a good many legislators and people like that. The press knew him, too, of course. But, you see, in statewide politics the public seldom gets to know such a person. They didn't know who Graves was. In fact, he was described in the press as the man nobody knew. He was not just a nobody by any means, and I guess I shouldn't have used that term. He was a very able person, but nobody knew him as far as the vast number of voters were concerned; they didn't know him at all.
- Fry: Who else would have been more plausible, then, as the Democratic candidate? Let's see, Pat Brown had a statewide office as attorney general, but I guess he decided not to run?
- Phillips: He didn't run for governor that year.
- Fry: One theory that I heard was that maybe Graves was a sort of holding action for Brown, who would want to run four years later.
- Phillips: Well, I don't quite buy that. I don't think so. Brown didn't want to go then. But why they came up with Graves I never could understand. No criticism of Graves at all; he just didn't have the statewide recognition.
- Fry: As we would say today, his "profile was too low."
- Phillips: Yes.

Organized Labor Positions

- Phillips: One fact that made it easier for Knight to win was labor's support. Labor did not support Graves, nor did Roosevelt and people like that, you see. Knight said in advance of the election that he was against the right-to-work bill. I've forgotten if he went so far as to say he'd veto it if it came along, but that was the implication, at any rate, that labor must have drawn. And some other

Phillips: labor issue that escapes me at the moment also came up in a way pleasing to labor.

Fry: Warren lost labor's endorsement in 1950 because of his behavior on the hot cargo and secondary boycott issues. He had let hot cargo pass without his signature; this is in your book, too.

Phillips: Yes, but he didn't lose anything except the labor leaders. The rank and file labor voters liked him--the Democratic voters, apparently. Don't overlook the fact that back in 1946 he took both nominations.

Fry: Yes. The AFL, which was the biggest union, endorsed Warren then.

Phillips: Here's an interesting thing: theoretically, when Warren ran the first time against Olson, labor was all for the Democrats, but they didn't vote that way. Olson had a lot of endorsements, and I think all Warren had was a few local labor councils, maybe down in his own area or something like that. I'm sure that he had some labor leaders who favored him, of course, but a great number of them favored the Democratic administration. And yet Warren made it.

Fry: What isn't clear to us is actually how hot an issue hot cargo was. In other words, were labor men really terribly concerned about the fact that Warren had let that pass without his signature?

Phillips: Oh, I suppose that some of them were indignant about it; but, looking back on the history of this man, it goes without saying that it wasn't nearly that important, because he wouldn't have had so many other victories afterwards if the working people in the state were against him. They were not.

Fry: I had heard that the hot cargo issue was an issue that labor itself didn't like. I mean, they really did hate this hot cargo business because they couldn't control the strikes that would result from it. And yet, the political literature of the AFL of that period is very, very bitter against any prohibition of it. It would be good to have an interpretation of this as an issue: was this only labor's political arm that wanted to show as much strength as possible against Warren, or was it really a sincere concern of labor to preserve secondary boycott rights?

Phillips: Well, they all said so, but the votes didn't go that way, did they? If all labor went against the guy, then he would have lost, wouldn't he?

Fry: Yes.

Well, the other one--the jurisdictional strike issue--is the subject of much strong language in the AFL political literature

Fry: and reports of that period, and yet I just question whether this really was that big of a thing.

Phillips: Well, I think you're right, and it's always going to be hard to pin down because you've got an overlap, I would think, from their point of view; because most of them were for Roosevelt in his day, and the liberalization of certain things that were going on in Washington built up a set of issues that they should believe in, you see.

Fry: Well, these bills landed on Warren's desk in 1947, which was three years before he had to run for governor again--

Cross-filing

Phillips: He had just won overwhelmingly with two nominations, you know. That had never happened in California in governors' races. Never. Now, for other offices, yes; for secretary of state, for example, there might be a double nomination. (Especially in the cross-filing stage, you understand; it would be a miracle if somebody did that now.)

After all, cross-filing held until Brown became governor and the Democrats had a Democratic legislature. It was one of the things that they made a big issue about, you know--that's how the Republicans had been winning even with mounting Democratic majorities in the registered voters. So, they wanted to get rid of cross-filing, and they did. It was one of the first things that happened when Brown became governor, as I've already told you. But in 1946, cross-filing gave Warren a double nomination for governor, and the voters ditched one of the ablest--I don't say that his campaign was that able, but we reporters knew Bob Kenny, and he's a smart guy.

Fry: He sure is.

Phillips: He's a witty guy, and his wit alone enabled him to say things on the hustings that should have made people take notice.

Fry: In this bi-partisan process where you run on two tickets, wouldn't this produce some financing difficulties, because you're not going to get as much party financing?

What do you know about Warren's campaign financing and what the sources were--primarily because he seemed to be so independent, and yet he had money to run?

Phillips: He had enough. Especially in the days of cross-filing. He did seem to put a campaign together when it came to election year, rather than keep an organization functioning right along, apparently, like Mr. Nixon later functioned.

Fry: On Warren's financing, I wondered if you knew anything about any--

Phillips: No, I don't remember it at all, after all these years.

Fry: Some men he apparently could rely on to go out to get him "clean" money. But you don't know of anything, or who they were?

Phillips: No, I don't remember at all. The filings are vague at the secretary of state's office--not what--

Fry: The requirements for reporting were very limited.

Phillips: Oh, I suppose they did what the law said in those days. So, his committees collected money somewhere and reported, as you say, only the personal contributions, which were very small in most cases.

And, I don't think labor issues were as big as they were in the years of the labor thing under Knight, when he ran after Warren left. Then, everybody was trying to get into the action--they said, "Now that Warren is gone--." Including the awfully, awfully conservative Republicans, too; after all, it was only the year before they mounted that campaign against him, you know, with Werdel. I didn't know much about him in Congress, except I heard about him over here as being a conservative assemblyman. And they decided to challenge Warren then. They pretty much did, but Warren won overwhelmingly.

Fry: I believe Warren won over Werdel two to one in the presidential primary.

Phillips: After all, he was running his own party. Everybody stood with him except some Republicans who were maybe very ultra-conservative, and they couldn't understand it. It was pretty hard to have a guy win that you disliked, and so they thought it was some kind of inspired accident, I suppose. And the Democrats--of course, they were sure that this great vote-getter would go away and then they'd take over because, after all, they did have a huge registration majority.

That Werdel campaign was an overwhelming victory for Warren and, as I say, it was nothing but a very sweet triumph to him, because nobody could say, "Oh, well, he cross-filed--" and all that. But he didn't cross-file there; you know you can't in a presidential primary. It was his own Republican party. And he

Phillips: was a master politician--probably better than anybody since Hiram Johnson, and maybe better than Johnson. At one occasion I wrote some little thing along that line--when Walter Jones, our editor, got hold of me when Warren became eighty years old.

Fry: Oh, we have that. We can deposit that piece with the interview.*

*See Appendix

VI SOME ISSUES AND REALITIES OF THE 1940s

Population Growth: Financing Social Needs

- Phillips: Well, I said that if you take his overall record in public life, he's undoubtedly the top governor. After all, Johnson accomplished a hell of a lot of things, you know. No question about it, and so did Warren. And you have to take the good things that each of them stood for, and lost with, and consider them in the picture, too; and Warren stood for some very progressive things, and lost some of them and won some good ones, too. Of course, Johnson got most of his stuff through, but it was in the nature of governmental reforms, largely. He didn't have any issue such as health insurance, for example, to tackle.
- Fry: Did Johnson have anything to cope with that was thrust upon him by outside forces, like Warren's coping with the world war, and Warren's coping with the influx of people coming into the state making it double in his administration?
- Phillips: That world war was a two-edged sword. (That's a bad pun also.) But politically it was, because our tax structure was such at that time that it was geared to income. The three big things--sales tax, income tax, and corporation and franchise tax--were all based on income.

California was booming in those war days, don't you see? The revenues just piled in. The California depression deficit actually had disappeared before Warren took office. The fiscal year doesn't end until July, and, of course, Olson was out of there six months before that; but it was his budget. So, if it would be in the red in July it wouldn't be Warren's doing, because Warren's fiscal program was just going into effect at that time. Everybody overlooked the fact that Olson's last budget was in the black by a small amount.

You have to understand that California had had deficit, deficit, deficit for years there. We had to register

- Phillips: warrants; we couldn't pay for the state government. Now, this is before the time Warren was running, but all these things are background to this picture--that's what I was trying to get at in the book.
- Fry: The contrast was an advantage to Warren, too.
- Phillips: Warren did a very smart thing there--I thought one of the smartest things in governmental management, quite aside from his advocacy of health insurance and that kind of thing. He asked the legislature (laid down his own views on the subject--that they were not going to throw this money down the drain) to set these booming revenues in reserve against the time when the war would be over and California could do some of these needed things. Some of the state mental hospitals had not been improved since back in C. C. Young's day, don't you see? And all kinds of other institutions were going to pot for lack of money and deficit, deficit. You know what a registered warrent is, don't you?
- Fry: Well, I suppose it's when the state treasury can't pay, so they write an IOU.
- Phillips: That's what it amounts to, and then the bank will cash it at a discount and the state will pay it back someday; and the bank will hold the paper and get the money sooner or later. But they had to have the banks bid on these warrents. Those were in the dark days of the depression.
- Fry: In the '30s.
- Phillips: Yes. That enabled such things to happen as the surprise when Upton Sinclair won the Democratic nomination for governor.
- Fry: The migrations that came to California then were not people who brought jobs or income.
- Phillips: Most of them came out here hopefully, and made it sometimes. Some didn't. The migrations of those years were "Grapes of Wrath" people. Now, where were we?
- Fry: We were comparing Johnson and Warren, and my question was whether Johnson had to contend with as many overwhelming economic and social changes.
- Phillips: I don't think he had those things to contend with to the same degree. He was reforming government that had been under the control of vested interests; Southern Pacific mostly, up until that time, ran the state--boss-ruled the state. And the direct primary and things like that--there was a direct primary before

Phillips: Johnson's time, but it was amended about 1915 and was made more like it is now. A whole set of such things are in my book if you want to look them up--reform things affecting women and children, care of workers injured in industry, etc.

Fry: Well, Warren was--

Phillips: I know, but also Johnson did some things that were not exactly only political reforms. Most of his stuff was political reform compared to Warren. I think Warren had tougher social issues in his day, and an infinitely more populous state to govern.

Reapportionment

Fry: Speaking of political reform, Warren fought the one-man one-vote reapportionment bill in 1948. According to my notes, "a proposition to reapportion the senate on the basis of population was defeated and the forces against it were the Chambers of Commerce, farmers associations, non-urban politicians and Earl Warren." Of course, later on, in 1964, the Supreme Court under Chief Justice Warren made its one-man one-vote decision in Reynolds vs. Sims.

Phillips: A lot of other people and things were against it then--in '48. The country hadn't advanced that far either, perhaps. Our legislative reapportionment is a little bit more comparable to Congress than some legislatures are.

Fry: How's that?

Phillips: I remember editorial comment and that kind of thing that had to do with the campaign we're talking about here. In other words, this isn't all black and white, that Warren was against this reapportionment, because California's constitution, just as in Congress, apportions the Senate on the basis of geography and the House of Representatives according to population. The reapportionment of the California assembly has always been an attempt, as nearly as it can be, to keep the eighty districts close to equal in population. You have to make a shift of a thousand here and there, so sometimes you may take off a corner of some other county to add to another district. They are doing that a little bit now.

Fry: Depending on which party is in power, too.

Phillips: That happens, too. Well, that's the old stuff, you know, but the law is supposed to even up the assembly into districts of equal population, as nearly as possible.

Phillips: However, your senate was all cut up into forty geographic districts.

Fry: So it was the "federal plan." It was just exactly this federal plan in the state that the Supreme Court ruled against later on.

Phillips: Yes, that was a factor in the decision that you spoke about. A whole generation, or maybe two generations of Californians had been living with the so-called federal plan, you know, where the senate was supposed to belong to rural Californians. In other words, in addition to their being divided into districts, no county could have more than one senator. Los Angeles County had only one senator before that time, and the San Francisco area had a number of senators. It was kind of a free for all.

It's an oversimplification to say that Warren and labor and so forth had a great deal to do with it. Things don't fall out that simply. It was a big issue with other people, too--editors wrote about the federal plan and all this and the reform we put in earlier after World War I.

Fry: Yes, 1925 or '26, when California adopted the federal plan?

Phillips: Something like that, yes. Of course, the argument against it was that--

Fry: --the laboring man was not represented in the senate?

Phillips: The biggest yowls were from Southern California, because Los Angeles County only got one senator, don't you see? And some of the other counties were beginning to feel left out, too. San Diego was growing a little by now, and San Francisco was not getting any bigger--it can't very well, geographically.

In those days, if you could get all of Northern California voting one way right down the line on any issue, they could beat Southern California, and that's the only way they got beaten, as a rule. It's difficult to do it now because people are moving to Los Angeles and Orange County and San Diego County; and, as a matter of fact, they can damn near carry things.

Fry: Yes, I think the population influx in Southern California now pretty well has that part of the dog wagging the state.

Phillips: We're growing in the north, too; but, as I say, San Francisco can't grow very much more. The Peninsula is just about full and so is the city; in proportion to the general population, the city is really losing a little. San Francisco doesn't have as many representatives as it used to have in the legislature. Not that there are any vast losses, but they do have to throw a couple of districts

Phillips: together when the decennial reapportionment comes around. Of course, both houses have to be reapportioned now, but the assembly was the only one then.

Fry: Well, Warren made an interesting comment to us on this reapportionment. He said that the reason he backed--

Phillips: Did you put this same question to him that you're putting to me?

Fry: Yes, we did. He gave a number of reasons, but, of course, the main one was that on the Supreme Court it was a judicial question and in California it was a political question. But he also said that having the senate in 1948 represented this way, one man per county, simply "worked" better at that time. And, you know, I couldn't figure out what he meant, precisely.

Phillips: Labor wanted to take the whole damned state over. Is that good or bad?

Fry: Well, I don't know.

Phillips: Yes, but then what about the farmers and all those outside the industrial centers where the organized workers were?

Fry: But I think it was farming interests--

Phillips: Well, yes, we say that; but, after all is said and done, counties like Santa Clara County and San Mateo and Sacramento and Fresno are growing all the time, and they're not all farmers by any manner of means.

My God, when I first came to this town as a young kid, why, the town stopped out here at Alhambra Boulevard. There wasn't anything much beyond it. And now it's spread in all directions. I can get lost very easily in the north area, in those suburban areas out way beyond what used to be isolated little towns out there. They're "districts" now--Rio Linda district, or whatever. But they're not all farmers, by any means.

Fry: Well, in 1944, wasn't it primarily agricultural interests that were beating the drums for this 1948 opposition to reapportionment?

Phillips: Yes. They were beating drums, there's no question, but they weren't alone, I don't believe. At any rate--did Mr. Warren go on to explain his statement, as you put it, at least, which sounded very general--that one was a judicial question and one was a political question? I don't see it. Didn't political rights have something to do with the Supreme Court's decision on this judicial question? The Supreme Court ruled that that was the theory about

- Phillips: democracy: one-man one-vote. Well, if that was so, then it was true for you or me or Warren or anybody else in this country. I'm sure he did have a point, but I don't catch it. The point isn't clear when he said it was a political question here and a judicial question there. That's technically true, I guess. But it doesn't quite answer the question, it seems to me.
- Fry: Perhaps he meant that personally he weighed only the political implications of a change in 1947?--
- Phillips: I see. Later he was faced with the Constitution.
- Fry: --But at the Supreme Court it was a constitutional question.
- Phillips: Yes. All public officials are supposed to support the Constitution. Or am I being naive? [Laughter]
- Fry: I don't know, but you're sure lousing up my interview. [More laughter]
- Phillips: With me or with him or with both?
- Fry: With irrelevancies like the Constitution. [Laughter]
- Phillips: Well, you posed the question. You said that Warren said it was a constitutional question, a judicial question.
- Fry: You're exactly right, of course.
- Phillips: I don't see any marked difference in the question in '48 and '64.
- Fry: The question in my mind is: what were these political considerations at the time? Was it easier for a governor to function in his legislative program with the senate the way it was apportioned then?
- Phillips: I don't think that was particularly so, but a good part of California (that's the reason they changed the law) felt that the vast urban concentrations were not necessarily without intelligence or political know-how or anything else, but were simply sheer numbers of people. Many of them were newcomers to Southern California, let's say, and, as you said earlier, they were not very rich when they got to California; so maybe many of them were aligned with labor. Labor had a greater hand all the time under that system--under the federal system--in the assembly than they ever did in the senate.
- Fry: And frequently they got beaten in the senate on the bills that they passed in the assembly.

Phillips: That's the so-called balance of power that we have going in the United States. Now, answer me this. If the Supreme Court could rule as they did--one-man one-vote for all state elections and so forth--what about the federal elections? What about one-man one-vote there?

When it went before the Court, that was a judicial question they could raise and they didn't raise it, apparently. That would have caused quite a stir. But, of course, there's some sense to it, I suppose. I don't have any hard and fast notions about it.

Working with the Legislature

Fry: Since you were right here on the scene in day-to-day contact with the workings of the legislature, I wonder if you could address yourself to the difference between the senate and the assembly. Is the senate an easier body to work with because it has fewer people in it?

Phillips: Easier for whom?

Fry: For anybody who wants to get a legislative program through, like a governor, for instance.

Phillips: I wouldn't say it is just because it's got only half as many members, but because they are a more closely-knit organization.

Fry: How do you mean, more closely-knit?

Phillips: I mean they all know each other better. There's less turnover in the senate, and many of them have come up from the lower house and they know their way around and they're not pushed so easily. Whereas almost every new assembly has a number of new faces and it takes a while for some of them even to know where the men's room is.

Fry: So, this would make the senate a more predictable body, I suppose, from year to year.

Phillips: Oh, yes. And, as some would say, a more conservative one, oftentimes. But sometimes they've taken the lead on some things that look pretty good.

Fry: Well, someone else mentioned that the senate has always been sort of a "gentleman's club." They said that they had rules of political behavior that you could count on. Is that your impression?

Phillips: Yes. To a greater extent than would be true in the assembly. For the same reason you might say, if you wanted to make a comparison, that a national convention such as the Democrats just held the other day contrasts with the days when they were all pretty much political regulars in the party and they could be depended upon for more orthodox behavior. There was a bunch of kids, neophytes, there at this convention. As somebody has written, eighty per cent had never been to a convention before. Yet, they behaved themselves pretty well. The only hassling was a little bit at McGovern's hotel when they thought that he had said something that he hadn't quite said.

Fry: How is it analogous to the behavior between the assembly and the senate--a larger body that turns over rapidly and a smaller body where everybody knows everybody?

Phillips: Oftentimes a bunch of youngsters like that--I wondered myself how this would turn out at the Democratic convention this time, with darned near fifty per cent of them women, many of whom haven't had any previous experience in battling over nomination maneuvers, many of them undoubtedly there for the first time; and the youngsters [the new 18-to-21 year old voters] were there for the first time, and the blacks and chicanos had a greater representation than before. They had no national political convention experience.

And here were the McGovern people, and maybe some of the other groups, too, that wanted to be at the convention. The newcomers behaved themselves pretty well. Some of the issues were pretty complicated, and they knocked over some of these things that would have been platform in the campaign, you know. The question of what in the world has a national platform got to do with, for example, the matter of abortion? And they threw it in.

I seem to be talking against myself when I compare it with the legislative body, where they've been there for a long time together and they have two thousand issues or more to face. We've had some people in the senate that were not the greatest in the world, perhaps; but, by and large, they have experience and they know what they're doing, what they can and can't do under the rules.

But many of these people who come new to the assembly have had no experience, and sometimes their decorum isn't so good, and that kind of thing, you see. However, we're way off track.

Fry: No, we're not. We're right on. Did Warren have better relations with the senate, in your view, than with the assembly? This may be relevant to his 1948 stand on reapportionment.

Phillips: I wouldn't think so, particularly. I suppose it depends on the

Phillips: the issue. Many of these things wind up in conference in a tight issue between the two houses and they get settled in conference committee, and you lose track after a while, sometimes, as to which house had it in the first place. We have something that doesn't compare very well, because with the national convention there's no tomorrow. You can't send those issues to conference and have a little committee settle on a program and then vote the outcome.

No, I think Warren got along extremely well with them, because for part of the time he was there the senate was Republican. The Republicans held onto the senate for a long time. (Now I think both houses are pretty close. I don't know what it is this year, but sometime in the last year or so both houses have been Democratic by a very narrow margin.)

Fry: I'll quote you back to yourself. There's a little table that was so handy that I copied it down. It showed that there was a good Republican majority in both houses for the entire Warren years. Now, this doesn't mean that they were Republican-Warren people; they fought him some, as you know.

Phillips: This conversation is just wandering around aimlessly, isn't it? They were not all Warren Republicans.

Fry: No, especially after '45.

Phillips: There wasn't any question that he was much more progressive than many of the other Republican governors. Johnson was progressive; Stephens, following Johnson's footsteps, tried to be progressive; and then Young was progressive. Certain degrees of ineptness get in people's way, somewhere along the line, but I'm talking about how the general outlook was. Governor Richardson was most conservative.

Fry: I've read in some of the Mary Ellen Leary papers (that are now deposited in the Bancroft Library) some interesting little notes that were going back and forth between reporters, apparently. Some of them felt that Warren in his first term did not make the effort to keep his lines open between his office and legislators--that he failed to have close enough contact with the legislature, and that some of the men who could have really helped him on some of his bills were a little miffed by this.

Phillips: That happens all the time. Especially when a governor first comes to office.

Fry: Did you feel that he was doing all he should to--?

Phillips: After all, he was being governor for the first time, you know.

Phillips: You don't track as well as you do after you've been there for a while. I imagine Mary Ellen didn't, either, when she first came to the capitol.

Fry: Well, I wondered how Warren compared with previous governors. Was he too separate from the legislature?

Phillips: No, I don't think so; but, while he was learning more about the legislature, he was his own man and he didn't seem inclined to bow down to anybody, any more than he'd bowed down to the county chairmen of his party. They're the ones that didn't like him, a lot of them. Some of them must have, but a good many did not.

You realize that the year that Knight threatened to run against Warren, Knight had just a whole flock of county central committees.

Fry: He had about nine that endorsed him before he backed out of the race [1950].

Phillips: Yes. Knight got real mad at me and at Earl Behrens, too. I don't know what Behrens told him, but he got awful mad at me and told me that Behrens had said the same thing or something similar--that he might be paving the way for Jimmy Roosevelt to win. I said something in passing about it in my book. At any rate, that was what Knight was doing--he was very ambitious. He was good natured, he liked everybody, and he had a good sense of humor and one thing or another. (I don't really see any point in going into this stuff.)

Fry: Well, that's in your book.

Phillips: Oh, I may have said something in a rather offhand way, I suppose. But Knight was ambitious. I believe he said that as a young kid he always wanted to be governor, or something like that. So, he jumped off the bench and jumped into the race for lieutenant governor when Houser jumped out. Fred Houser was Warren's first lieutenant governor, you know, and there was no great sympathy between Houser and Warren. Of course, Houser was a rather conservative fellow.

Goody was swept away a little bit later, perhaps by some of those right wingers who hated Warren. I don't know if Knight really interpreted it that way--he thought they thought a lot of him, perhaps, because they told him they did. But, anyway, he was hot for it, and he got very mad at me because I said in print that, in the first place, he couldn't beat Warren for the nomination and that, in the second place, if he could, he would elect Jimmy Roosevelt. The Democrats seemed, for once, to be more or less united behind somebody and hoped to win with the Roosevelt name--they'd tried everything else against Warren.

Phillips: So, anyhow, Goody pulled out and ran for lieutenant governor again. He finally inherited the governorship. Very excited. If anybody could have been more pleased than the governor was when he was picked for Chief Justice, then it was Knight when he finally reached the governorship. And then, later on, in 1954, he beat the other party with the help of labor.

VII 1952 REPUBLICAN CONVENTION AND AFTER

Nixon and Warren's Chances for Nomination

Fry: I was really interested to read what you said in your book about the 1952 convention. I'd like to talk some more about that.

The impression that I get from some of the other books on the subject is that Nixon so infuriated some of Warren's more loyal followers by talking up Eisenhower on the convention train, that the investigation into what later became the Nixon fund was born at that moment.* Do you know anything about that?

Phillips: I don't know whether that was true or not. I doubt if it was at that time.

Fry: Or at least that these people who were so mad at Nixon--

Phillips: Well, they were mad at him. But I have no way of knowing that the Nixon fund exposé came up at that time. No, it sounds good in retrospect, but I never heard that that was true.

Fry: Well, I don't know who these men were who were so fiercely loyal to Warren--which ones these might be, of the whole delegation. I'll be talking to MacIntyre Faries.

Phillips: Did you ever talk to Verne Scoggins?

Fry: Yes.

Phillips: He might be a hard guy to get talking freely. But he might help you.

*In particular, see Mazo, Earl, and Stephen Hess, Nixon, A Political Portrait, p. 83.

Fry: Well, he's a public relations man. He did give us a lot that we didn't know, but he could have given a lot more. Do you think he would be good to talk to about that campaign train?

Phillips: Oh, I don't know about the campaign train particularly. But I was just thinking that he was with Warren for a long time there, and maybe he could answer some questions that I--and a lot of others--can't. After all, a newspaperman is not around with his ear at the door listening to everybody's private conversations.

Fry: [Laughing] I'm sorry that you weren't!

Do you think Nixon was under pressure so much that he finally went ahead and did campaign for Eisenhower before the convention?

Phillips: I have a paragraph or two in my book, taken right out of Nixon's book, which seem to explain some very interesting little things about that. But I've already covered that ground pretty thoroughly earlier in our interview. About the California official oath as support for Warren.

Fry: Well, Bob Kenny documents this very specifically, even with a picture of the affidavit that Nixon signed, in an article that he wrote for Frontier* after Nixon's book, Six Crises, came out. And so, it's kind of interesting, too.

Phillips: In other words, Nixon had taken a pro-Warren pledge and he had not been released from the pledge at that time, and yet he was talking up Eisenhower.

Convention Balloting

Fry: Then later at the convention, where there was only one ballot--I have two or three questions. One is whether Taft offered Knowland the vice-presidency.

Phillips: I don't know whether he did or not. I don't think that anybody could have answered that kind of a question except Senator Knowland. I mean, Taft could have revealed it if he had wanted to, but I don't think he did. Knowland could have answered it, too, if he'd wanted to. Of course, he did become Taft's

*op. cit.

Phillips: successor in the Senate leadership, apparently with Taft's blessing, but I don't know whether it had anything to do with the vice-presidency or any possibilities of that consideration. I don't know. I've never heard it that way.

Fry: I've read in a couple of places that Knowland, if he had to choose between Eisenhower and Taft, would choose Taft, so that you could mark him up as a potential Taft man, once Warren was removed.

Phillips: Well, possibly you could. I mean, I don't know. He served under Eisenhower in Europe; that wouldn't necessarily mean anything at all. I don't know what his personal view of Eisenhower was.

[End of Session]

[Date of Interview: 20 July 1972]

Fry: We were talking about the importance of the 1952 convention. Did the question come up about Earl Warren being vice-president with Eisenhower?

Phillips: No, not that I heard of. That sounds like a foul ball to me. The convention had only one ballot that year for president, you understand. And the entire California vote went for Earl Warren, including Nixon's vote. It had to. It was cast as a unit. Bill Knowland was the chairman of the delegation.

At some of those earlier conventions, where he was really just a favorite son, Warren had acted as chairman of the delegation and favorite son, too. But as a candidate he stepped out of that position, and Bill Knowland became the chairman of the delegation. So, Knowland rose and cast California's entire vote for Earl Warren on the first ballot, and Warren picked up a few votes from Wisconsin and a couple of other places. He had more than just the California delegation; he was well in third place. His hope would have been, as you can well see, for a deadlock. It could have swung to him. That was his only hope. I think he must have realized that. He was a political realist; he had been through many a stampede. Then, on subsequent ballots they might have switched to him because the nation would have realized what a vote getter he was.

Fry: You feel that if there had been a draw Warren could have been a candidate, perhaps?

Phillips: Yes. It was always remote, but that was his one hope for the nomination.

Fry: That seems to have been decided in favor of Eisenhower. I mean,

Fry: this even draw was broken when they seated the pro-Ike delegations from Texas and Georgia. The California delegation had to vote on that, and it appears at this distance that this was quite a turning point at the convention, because it kind of set the convention for Ike.

Phillips: It does. And some people made quite a thing out of it. I don't know whether it was that important or not, but evidently the Californians caucused on these things; I don't know that Warren took the lead in it. I don't remember the details of the Texas delegation hassle well enough to argue the merits of it, but the fact was, as I understood it at the time, that there was more going there, as facts, in Eisenhower's favor than there was in favor of Taft. And California voted that way.

Fry: I wondered if you knew what role Warren played in this. Did he try to persuade the delegation one way or the other?

Phillips: I don't know, but I'm sure he didn't try to persuade it for Taft.

Fry: And yet, by persuading it for Taft he could have preserved the possibility of a deadlock, which was what he needed.

Phillips: There were other factors besides seating the Texas delegation. Texas does seem to be in the limelight in conventions lots of times, by always hassling and stalling around, like they did in the last Democratic convention, you know. It looked like Texas was never going to cast their vote on this Democratic convention.

Fry: They did have quite a number of delegates, and at that time the statistics of the potential votes for Eisenhower were that if he didn't get Texas it was still an open convention for Taft; and if he did get Texas it was pretty much going to go to Eisenhower.

Phillips: That's the problem about that, but Warren certainly didn't make any great noise about it. It was helpful to Eisenhower; but, by the same token, you asked a while ago whether he sought Warren as a running mate, and I said I hadn't heard anything to that effect. Eisenhower picked Nixon as his running mate, not Warren.

I don't think Warren wanted it then--at any rate, the time he ran with Dewey I don't think he wanted it at all. I mean, he would have liked to have been President, but he didn't want to be vice-president, particularly. After all, he said that one of the big constitutional duties of the vice-president is to preside over the Senate of the United States and then run around and carry messages and make speeches for the President. You have to realize that Mr. Warren had no direct personal experience in a legislative body, ever. He'd always been on the administrative side of the government--the executive side until he got on the judicial side, but he'd

- Phillips: never been in the legislature. He'd been around the legislature long ago, but only as a young lawyer.
- Fry: But that's rarely considered in the selection of the vice-presidency.
- Phillips: That's true, but I'm talking about Warren's interest in it. You asked whether they thought of him for vice-president. Dewey thought of him twice for vice-president; he didn't get him the first time in 1944, and I think the pressure must have been upon him very strongly to go with Dewey the second time because, as I say (nobody has said this in so many words), you can't play in the big leagues and then in the middle of the World Series say that you don't want to play today and you're going to take your bat and ball and go home. Of course, some people didn't like the fact that he'd declined the first time that Dewey asked him so he took it the second time.
- Fry: Who didn't like it? The Republican regulars?
- Phillips: Well, the Dewey people didn't like it.
- Fry: Oh, I was thinking of the state people here in California.
- Phillips: Oh, no. No, Warren was holding up the California Republican party with his bare hands in most of those years. After all, he was doing in a small way (not a small way, but California is smaller than the United States, although some people don't seem to think so)--he was running through election after election victoriously in California like Franklin Roosevelt was nationally.

Speculations on the Supreme Court Appointment

- Fry: I'd like to ask about Warren as an appointee to the Supreme Court, which I suppose grew out of the '52 convention. Was it Nixon's influence or was it Knowland's influence? Did Knowland try to get the attention of the chair, as chairman of the delegation at the convention, in order to recast California's votes before Minnesota did and put Eisenhower over the top?
- Phillips: No. As a matter of fact, Knowland's father was sitting about an aisle or two in front of me and kept rushing back to me (I don't know why; he and I have hardly talked except at a national convention), and he kept saying, "Where's Bill?" He wanted Bill to get up there and cast California's vote for Eisenhower. After all, Eisenhower had won. We all knew that he had won. It was just a matter of doing what they did at the recent Democratic convention--

- Phillips: they made it as near unanimous as they could after McGovern had won, after he'd gone over the top. He didn't go over the top because of any of those changes, though, but it's supposed to be a nice little political gesture. He's our man now, and we might as well get behind him without any further delay.
- Fry: Was Bill Knowland not there?
- Phillips: He was trying to get up to the platform, but he was seated with the delegation and he had to make his way up.
- Fry: Well, Bill didn't make it, did he?
- Phillips: Sure, he did, but it had already been decided. There weren't any switches. California didn't desert Warren. Mr. Eisenhower had the nomination all wrapped up before California switched to him.
- Fry: Well, that was unanimous, it was announced.
- Phillips: Yes, that was in the direction of making it unanimous. You know, sometimes some delegations don't bother, but most of them try to make some gesture of that kind. As I say, in the recent Democratic convention a lot of states got up and changed after McGovern already had got the sufficient votes.
- Fry: Stassen's delegation in Minnesota put the vote over the top for Eisenhower.
- Phillips: But when you're in striking distance of it, you know that the next big state is going to do it. I've forgotten which state it was in the McGovern thing the other day; but you knew that there was a big delegation coming up, and you knew that if you got even half the delegation, it was over. And that's what happened. Everybody began cheering as soon as they called the name of the state before they cast their vote, and they knew that was going to be it.
- Fry: I just can't figure out why Eisenhower would owe Warren an appointment.
- Phillips: Well, you cited the Texas thing. I don't know whether there's any basis to that or not.
- Fry: I have no evidence that there is, by the way. No one's ever told me that Warren ever pressured anybody.
- Phillips: No, I don't think so. He was there to run, and I don't think he put the arm on them.
- Fry: Could Warren's appointment have been either a gesture to Knowland

- Fry: or to Nixon on the part of Eisenhower?
- Phillips: More likely to California. You have to carry New York and/or California; it's almost axiomatic, and it's only happened a very few times when winning candidates for President of the United States failed to carry both of those states. Sometimes you'd hear about carrying one of them and then not the other, but you've got to get one of them.
- Fry: Well, Knowland made a nominating speech for Nixon for vice-president.
- Phillips: Oh, that would be a gesture, I suppose.
- Fry: And some people say that Knowland really didn't want to do that.
- Phillips: That could be true, but I don't know.
- Fry: And the only reason that he was talked into doing it was because he felt that he might get something for Warren in return?
- Phillips: I don't think so. Knowland may have had some reservations about it, I suppose, but I don't know. Nixon was his fellow Senator. He wasn't his choice for President, certainly, or for vice-president, but--
- Fry: Another theory is (can I ask you about this theory, too?)--Did Nixon, after Eisenhower--?
- Phillips: A lot of these theories are kind of far out.
- Fry: That's what I wanted you to say, because I know that in the future historians are all going to think of these and wonder about them. And your assessment now will help.
- Phillips: I think a good many of these theories that we've discussed here are not particularly pertinent to the mainstream of what you're trying to get down about Warren.
- Fry: But Warren's relation to Eisenhower was quite pertinent.
- Phillips: I don't think that Warren would have been running openly for President in 1952 had he been completely enamored of the abilities of the two front runners. I know Taft was too conservative for him, and Eisenhower hadn't handled himself too well in those pre-convention days there as a general just out of uniform.
- Fry: He wasn't saying anything.
- Phillips: Well, as I told you, somebody told me somewhere that he made both

Phillips: management and labor reasonably happy at the same time.

Fry: Well, he wasn't saying anything too specific.

Phillips: Quite often, he didn't.

Fry: I wonder if Nixon, at this point, who had gathered quite a few of the Republicans in the state behind him and some very impressive financing, saw a federal appointment for Warren as a way of getting a broader base in California for his own future?

Phillips: Well, Warren wasn't getting in his way. Of course, Warren didn't have any use for him. I'm sure that the Warren people were very angry after Chicago. After all, the man's (Nixon's) own explanation of his position for Eisenhower after or at about the same time he signed the pledge for Warren--I say again, look at Nixon's book. The dates are there. And in the secretary of state's office.

Fry: I just wondered if Nixon felt that he wanted more of the Warren middle-of-the-roaders in his camp.

Phillips: You'd have to count Warren over on the liberal side of the Republican party rather than a middle-of-the-roader. In the whole spectrum of politics I think that Warren inclined toward progressivism. His followers would be hard to switch to Nixon, I would think.

Fry: Of course, Nixon tried to get Democrats organized for himself, too.

Phillips: Well, yes. Politicians do. But very few are successful in a big way. Things get fuzzy when they oughtn't to be in a national election; they cross party lines even then. But in most state elections people vote for people that they know, or think they know. They've seen them in action around, and so they don't--I don't think there were many Democrats for Nixon.

Fry: If Warren was in the liberal sector--

Phillips: His record will stand up to that, very much so.

Fry: I'm talking about voters. The people who voted for Warren were middle and liberal and, I suppose, even some conservatives. I thought, perhaps, that Nixon at this point in his career was trying to widen his own base, too, because his base had been more or less in the conservative area, right?

Phillips: Yes. And, basically, continued to be that.

Fry: And he stood to gain some additional support if Warren was appointed

Fry: to the Supreme Court?

Phillips: I don't know if you can credit the guy with looking that far into the future--eight years into the future.

Fry: Well, even if he didn't run for President, he would have this support.

Phillips: Except that he was vice-president already, and hopefully would be nominated again, as he was. And then he lost to Kennedy and later to Pat Brown. I'm just wondering whether all of this business doesn't tend to fuzzy up your picture of Warren a little bit. We're kicking dead cats around a little bit, and I think we don't further the story.

Fry: Yes. Another point in this picture is that Warren had already announced that he wasn't going to run for governor again, shortly before his Supreme Court appointment. So, he was essentially a lame duck when he received the appointment to the Supreme Court.

Phillips: He may already have known about an appointment. Who knows? If we're guessing, why, we might just as well guess that he did; after all, he must have been approached. If you had gotten Earl Warren to answer that question, then you'd have something. As it is, we're just shooting the breeze, it seems to me.

Fry: The really big question mark about his appointment is: what were the political causes of his appointment? Everyone is speculating and no one seems to really know.

Phillips: I don't know either, exactly. California was moving into a more powerful position all the time, and Warren certainly had a political hold on California that few men have ever had. After all, Eisenhower did have to run again. I don't know that Nixon had that much influence with Eisenhower in such matters. I've certainly never read anything or heard anybody say anything that would particularly make me feel that Eisenhower was fixing to take Nixon's advice on everything. Such a matter would have been a very private thing, almost impossible to check now, with Eisenhower and Warren both dead.

The Warren and Nixon camps were not close in late 1952-1953. Mr. Nixon has often had the reputation of being extremeley far-sighted in political matters, but I would question that he even entertained the notion of seeking the California governorship, much less planned for it, as early as 1953. Just launched on a first term as vice-presdient, his aims, as later events indicated, were much higher.

Phillips: Governor Knight, U.S. Senator Knowland, and Vice-President Nixon became the so-called "Big Three" of the California GOP in the 1950s after Warren became chief justice. All three suffered post-Warren California defeats. It was Knowland who gave up the Republican senate leadership in 1958 to run for governor, and lost to Democrat Pat Brown--some five years after Warren had gone to Washington. Knight, reluctantly switching to the U.S. Senate race that same year, was also beaten.

In 1960, Nixon tried for the presidency, losing to Kennedy. Returning to California, Nixon told a news conference he had informed interested politicians "that I am not a candidate [for governor in 1962], and that I have no intention to be a candidate or institute a draft to be a candidate." But he did run, and Democratic Governor Brown defeated him. Earl Warren had then been out of California politics and had been heading the Supreme Court for nearly a decade. Warren played no role, so far as I know, in Nixon's comeback presidential campaign victory in 1968.

Fry: But you think Warren's court appointment might have been a gesture from Eisenhower to help keep California's support. Is that what you mean?

Phillips: Well, you raised the question. And I don't pretend to have the answer. But, aside from Eisenhower and Taft, Warren was obviously the most powerful figure at the convention and more respected than most. And also hated by some people, too.

Fry: --Whose toes he had stepped on.

Phillips: Yes, that's one way of putting it. I suppose so. He was too liberal for some people and they didn't like him at all. Just a short time before, in his own party, they had been trying to elect a bunch of right-wingers over him.

Fry: The Werdel delegation?

Phillips: Yes.

[Dinner break. Interview resumes evening of 20 July 1972]

Fry: You were telling me about Bill Sweigert and his wife Virginia.

Phillips: They went back East to one of the conventions with the Republican delegation. Bill was Warren's chief secretary in those days. I noticed at the delegation caucus that Bill would be sitting in the

Phillips: back of the room, just like a mere observer there. He didn't take any part in it at all. He was a Democrat, you see, and he didn't feel he had any right to, and he didn't. As I saw him, he was a very honest and intelligent person. Warren was lucky to have him as a friend and secretarial advisor.

Fry: He's very nice, and I agree with you. His integrity is what impressed me.

Phillips: Yes, he had a lot of stuff, I thought. If you haven't fully interviewed him, why, perhaps you ought to go back and work on him some more. He would have answers to the specific things that you can't get from me. He would know more about some of those things than anybody, except for Warren himself. I gather from something that you said casually last night that Warren was not altogether responsive on some things.

Warren Leaves Sacramento

Fry: There was one question that I didn't ask you about the Supreme Court appointment last night: at what point did you know, as a newsman, that Warren was being approached for an appointment?

Phillips: I don't suppose any faster than anybody else. There was a period here after the new Eisenhower administration came in when everybody apparently got the notion that Warren was going to get something, or might get something. There were all kinds of wild rumors. I'm reminded of a silly example. One evening he gave a cocktail party. A few of his secretaries were there, and the press. And there was the rumor that Warren was going to be ambassador to England, and the ambassador to one place or another--all kinds of rumbles going around, some of them possibly furthered by the Knight people, you know. Some of them felt Warren had to go someplace so that Knight could be governor.

So, Warren was chatting there with various people, and he said something about understanding that vodka left no alcoholic breath. Then, I believe he (may have) had one--perhaps. Anyhow, as an instance of the wild guessing of that period, the word got around that he had said that. I said, "I wouldn't joke around, or one of these clowns in a couple of minutes will be spreading around the word that he's going to be ambassador to Russia." And, so help me God, somebody raised that possibility in a matter of minutes. The rumors were crazy and a dime a dozen for a while in Sacramento before the Supreme Court appointment.

Fry: How did you find out about the appointment?

Phillips: I don't remember now. And I can't see that it's very important, in any case. What else is new?

VIII GROWTH OF AND INFLUENCES ON STATE GOVERNMENT

[New tape starts]

Administrative Developments

Fry: We still haven't covered the Board of Equalization story.

Phillips: Okay. Let's get the Board of Equalization out of the liquor business. It was taken away from them, and the Alcoholic Beverage Control board was set up with an administrator and executive officer, and, oh, I think they have a review board or something like that; but it has nothing to do with the Board of Equalization. The Board of Equalization still has the sales tax.

Fry: Who does the ABC report to now?

Phillips: The governor. Any of the state administration agencies (except the Board of Equalization; it's a constitutional agency itself) report at the governor's council meeting, so-called. Around here we call it the cabinet, and that's about what it amounts to. It came in under Governor C. C. Young. California was getting so big--the population was climbing and the government was getting so large--there was a scatteration of powers, you know. There were hundreds of agencies, each one reporting directly to the governor, and there were large communication gaps.

So, Young set up this cabinet form of government and brought together like agencies under a super department. When I first started working over there at the capitol in the 1920s, the only big major department was the Department of Agriculture. (I'll leave out the boards and commissions; they existed of course.) Of course, the attorney general headed the legal department, but the attorney general is a constitutional officer; I mean all the other administrative agencies. There was the State Board of Health--we didn't have a Department of Public Health like we do now--and then a division of vital statistics kept all the marriage records and that kind of thing.

Fry: In the talk about changing the liquor control board, one example is a senate report in 1945 to create a department of revenue to administer the tax functions--

Phillips: That's been bouncing back and forth for a long time.

Fry: It would have taken the alcoholic beverage control from the Board of Equalization, too.

Phillips: Well, there was another proposition that was sometimes brought up to create an administrative department of revenue which would just abolish the Board of Equalization. Various governors at different times have advocated that, or members of the legislature have introduced such a bill, but it always gets knocked off. The Board of Equalization fights it, of course. They want that power. There's a lot of patronage involved; of course, ultimately patronage becomes civil service, but the original patronage would be with them.

The Board of Equalization didn't want to let go of all that-- the original appointment of all those auditors and other people and all these tax people who came in. As I said, at one time their staff rooms weren't much bigger than about three bedrooms, aside from a little meeting room. And then the number of employees got gigantic, and now they have a whole floor or two of one of the state buildings.

Fry: This '45 effort was killed off in the Assembly Committee on Public Morals, which said it would be unwise. I wanted to ask you about this Assembly Committee on Public Morals. Was it under Samish?

Phillips: It used to have a very bad reputation. Yes, as I remember it, it was the graveyard of certain kinds of legislation--reform kinds of things, you might say. I think they've abolished the name now because it had a little odor about it. I've forgotten what they call it now. (After all, I've been away for more than ten years, and it's hard to keep track of every little committee. They're all the time revising and reorganizing the committees and so forth.) But the public morals committee did have the reputation that you just indicated. A lot of bills with reform character just seemed to bog down when they hit that place. Of course, Samish, looking at the tasks that he was engaged to do, was very effective, there's no question about it.

Arthur Samish

Fry: Would you like to tell me, in two paragraphs or less, how Samish

Fry: Was so effective?

Phillips: Well, he said himself that he just supported good people. [Laughter] He supported people that believed as the interests did that he was representing, of course. He did it at the elections. That's where he was doing things. And, of course, he wasn't the only one. The Whitaker and Baxter organization--I knew Whitaker very well; he was doing this at the ballot box rather than--

Fry: Do you mean by contributing to campaigns?

Phillips: To the right person. Samish elected the "right person." By the way, did you read that rather poorly-put-together thing--it's still amazingly interesting--supposedly written by Samish? He must have had a ghost writer on it. Somebody sent me a copy of the thing. The only thing new in it to me was a couple of anecdotes of his harsh treatment of some legislator. Some of the stories were repetitious and stuff that we all had heard before.

Samish killed himself, politically, in the sense of talking too much. That series in Collier's, for example, that Lester Velie wrote.** One of Samish's men knew Velie and introduced them; Samish talked with him at great length. In an effort to explain California politics to the man, he said things that most all of us who were around politics here knew, though Samish had never sat down and made any speeches about it. But he finally let his hair down for this fellow. And the fellow just took it down and some outrageous things got said by Samish.

Fry: You never tried to get a big feature on Samish, or would he not talk?

Phillips: Oh, we all wrote about Samish quite often, and he must have known that we knew about some of these things. A lot of it was in that grand jury record I told you about.

Fry: You wouldn't have to interview him?

Phillips: But, of course, I guess he thought Mr. Velie did not know about such things. So he told him in amazingly plain words. Nobody

*The Secret Boss of California, Arthur H. Samish and Bob Thomas, Crown, 1971.

**"The Secret Boss of California," Lester Velie, Collier's, August 13, 1949. Copy in Warren Archive, The Bancroft Library.

Phillips: can completely know what really took place between the two men to have caused Samish to say such outrageous things. For example, apparently Velie asked him something that had to do with money, and quoted Samish in his article as saying, "Just throw a two-dollar bill down on the floor in a corridor of the capitol and watch them scramble for it." And stuff like that. A series of remarks like that appearing in Collier's just burned these fellows in the legislature.

Investigations of Lobbying

Phillips: The Kefauver Committee had been after Samish, too. It is interesting--and this has happened in many other cases of those kinds of people--that it turned out to be an income tax thing that they finally got caught on, rather than anything else. Samish went to federal prison, you understand--McNeill Island--but he went there on an income tax evasion charge.

Fry: I wondered why some agency like the governor's crime commission didn't deal with Samish and hold a big investigation much, much earlier.

Phillips: The crime commissions did do quite a good job on crime there, for which Warren is entitled to the major credit. Warren Olney, too.

Fry: But these two areas that we are talking about, lobbying and liquor control licensing abuse, apparently were not the subject of any investigations that might lead to prosecution for over a decade. And I wonder why?

Phillips: Well, it was just about a decade from when prohibition was repealed to when the fireworks started.

Fry: The fireworks didn't start until '53, did it, on liquor control? It would be two decades.

Phillips: Good heavens. They had that open grand jury right here in Sacramento when Merriam was still governor. For a moment you startled me. I wondered whether, at age seventy-seven, my mind had slipped a little on the dates when spectacular political fireworks were on display around here. But I've thought about my fairly rare copy of "Legislative Investigative Report" (submitted by H. R. Philbrick, December 28, 1938), and am somewhat reassured. Bancroft Library must have a copy somewhere on the premises. I suggest you might profitably consult it for allegations concerning, and/or testimony by, some eight or ten legislative lobbyists, together with

Phillips: Philbrick's summary of instances of money pressure and corruption in legislature.

Arthur Samish was among those on the witness stand. I personally covered these open sessions for the McClatchy newspapers. The ensuing Philbrick Report appeared briefly in one of the journals of the legislature, but seems to have been quietly dropped out of the permanent record. My copy of the report, signed in facsimile by Philbrick, then connected with Edwin N. Atherton & Associates and working for the district attorney, was evidently privately printed. As I said, Merriam was governor at the time. Culbert L. Olson, who succeeded him, was the state senator from Los Angeles County. Warren was still district attorney of Alameda County. The Philbrick Report, so far as I know, was the most candid discussion of lobbying and lobbyists' methods and techniques in the history of the California legislature. Certainly nothing dealing with these subjects with comparable candor has made its official appearance in California legislative politics since that time.

Fry: You're talking about lobbying. How about liquor control--

Phillips: Not just lobbying. They had Samish on the grand jury stand with the press present.

Fry: The Philbrick Report on Lobbying activities.

Phillips: The Philbrick Report. I quote a little bit of it in one chapter in my book. He was, as I just said, the investigator for the district attorney of Sacramento County. To go into all the intricacies of the state government you need investigators and stuff, and so Philbrick, who had been a former FBI man (you know that, I suppose), did a hell of a job, and then wrote this report afterwards. And Samish was very much in the middle of that; he was on the witness stand over there before the grand jury.

And, strangely enough, a law had been passed in conjunction with some question in San Francisco that had nothing to do with this: the legislature had passed this thing permitting a court, on motion of the district attorney, I believe, to hold open grand jury hearings when, in the opinion of the judge, public welfare was best served by an open grand jury. Obviously, you couldn't have an open grand jury if you were going to seek a secret indictment of somebody for murder, I suppose; but the law allows it when the general public welfare is involved in governmental happenings, on something so broad that there would be some benefit in doing it that way. So, it was very curious that it exploded in Sacramento, and not in San Francisco, and affected the legislature which had authorized such public investigations.

Phillips: But the answers to some of these questions that you were asking, like the behavior of some of these people--you should get that from the Philbrick Report, because what I say might be considered just generalizing. Legislator after legislator was cited for certain money they had allegedly received from certain sources.

Fry: Why was nothing done for tighter regulation of lobbying for ten years after that? Was it because Samish was in such perfect control; and if so, why didn't--?

Varieties of Lobbying

Phillips: The legislature didn't even include the Philbrick Report in its permanent journals or histories of the 1930s. And yet, there's a great mistake, I believe, in assuming that because Samish was flamboyant he was necessarily more effective than certain other powerful lobbyists. I've always contended, and I don't know how many people agree with me, that there was nobody any more powerful than some of the big oil lobbyists. Their operations were much quieter and smoother than Samish's, of course.

Fry: Was that Stevens?

Phillips: Charlie Stevens used to represent big oil. And there was another man that represented independent oil.

Fry: Keck, Morton?

Phillips: No. They were both around, but I'm talking about the guy in independent oil. And then individual oil companies had their men here, too. And the power companies.

Fry: Utility lobbying?

Phillips: Yes, and most effective. After all, Elmer Bromley and his predecessors were very powerful. I imagine he's retired by now. I don't even know if he's still living. He was a member of the state assembly when I first came to cover the legislature. And he was a lobbyist for PG&E and Southern California Edison and the rest of the big power companies.

Fry: Monroe Butler?

Phillips: Yes, Monroe Butler was who I was talking about in connection with independent oil. He was very effective.

Phillips: For example, it wasn't Samish's ball game when Warren was trying to get the gasoline tax increase for beginning what we now call our freeway system.

Fry: And this meant a raise in gas tax.

Phillips: Yes, of course. And they fought like hell. To sort of give you some background there on the effectiveness of the lobbyists, let me say that all kinds of bills moved back and forth that year; and finally the senate sent a bill through authorizing expansion of the highway system and providing the money for it--through increases in the gasoline tax, and the truck tax--those were the two principle ones--and, oh, perhaps a small hike in the vehicle license tax and all, right down the line, involving motoring taxes. Of course, the big thing was the gasoline tax.

And this bill came over to the assembly. Independent oil was supposed to have more power in the assembly, and supposedly Stevens had more power over in the senate for the major oil companies at that time. But the tax measure cleared the upper house.

So, after the bill got to the assembly, the assembly committee to which it was sent almost laughingly cut out of the bill all the financing provisions. They didn't cut out the provision to increase the size of the highway system. They knocked out the increase in the gasoline tax, they knocked out the truck tax. In a jolly little afternoon session they did this legislative surgery.

So Governor Warren went directly to the people with the issue, and that's the reason that you have to give Warren great credit for starting this improved highway system and knocking these people's heads together a little bit. He went on the radio and made a series of broadcasts. He called a spade a spade. It was pretty powerful stuff. And the legislation finally went through. Dick Graves had something to do with trying to reconcile the differences, too.

Fry: Oh, he did? Was that when he was with the League of California Cities?

Phillips: Yes. He was very friendly to Governor Warren, I believe. I don't know how close they were, but Warren used to always call him down to his office there.

As we agreed the other night, Graves has a great knowledge of governmental administration; and he was a bright fellow. And in his role as chief lobbyist for the League of Cities he was very well known in capitol circles.

But when he came to run for governor of California against

Phillips: Knight a few years later, it turned out that practically nobody had heard of him outside of the town he lived in and the state capitol; and, after all, you don't elect people that way. You've got to have a broader base than that.

Political Public Relations: Clem Whitaker

Fry: Let me ask you more about Whitaker, who was deep in utility interests. I'm interested to know if he operated just in the way of public relations. Didn't he write a column that was syndicated to all the smaller newspapers?

Phillips: Yes, which advocated some of the things that they had been hired to advocate. Yes, a kind of a little editorial service that he mailed out free to small papers.

Fry: I remember seeing one that raked Warren over the coals for not being a good Republican.

Phillips: Oh, yes. Well, they tried some of that on some of those country editors who may have felt somewhat the same way. He couldn't fill his little throw-away sheet entirely with client business, but he got a lot of it in. That was just one phase of his operation.

Whitaker's big thing was management of political campaigns, especially on ballot propositions. That's what he featured. He went for those things more than anything else; although he did undertake to beat Warren on health insurance. He and his people were up here at the legislature then. But he didn't go in so much for that kind of thing. He was working mainly on the ballot propositions. Samish and some of the other people that are on deck here all the time were the ones who tried to use political power through lobbying in the legislature.

Fry: To put people in office by supporting their campaigns with money? Would both Samish and Whitaker operate that way?

Phillips: Well, Whitaker tried to influence the state ballot propositions with a rather more sophisticated sales approach, and he made a lot of money doing that and was very effective. And, by the way, one of these retainers was from power companies. It's interesting to see how people switch around sometimes.

Whitaker had been a newspaperman here in the capitol before he went into public relations. When he branched out into this other field, one of his first big campaigns was for ratification

Phillips: of the Central Valley Project, which was a big public water and power project. He did so well (now, I'm only assuming, but just as B follows A in the alphabet I think the assumption is justified)--he did very well for that campaign with the Central Valley Project, which wouldn't have made it except for a few public officials who wanted it and Whitaker's directness in handling it. The power companies didn't want it, that's a cinch.

Fry: Why?

Phillips: "Let somebody else move the water, but we don't want any public power plants," and so forth. And so he won and they put him under contract.

Fry: The power companies?

Phillips: Oh, sure. Afterwards he represented the big power companies in political campaigns. But it's interesting that he was fighting against them on one of his first big campaigns. I think he was still at his headquarters in Sacramento at that time; then he moved to San Francisco. But he was a sloganeer and all that kind of stuff--built up telling slogans.

I forget whose campaign it was now, but I'll just give you the gist of the thing, and you can find this in the records in San Francisco very easily. I can't remember if it was a recall election or a regular election of a mayor, but, at any rate, he invented a faceless man and had billboards of it without a name.

Fry: Just an outline without any features?

Phillips: Yes, that kind of stuff tended to over-simplify.

Fry: This was to indicate a do-nothing mayor candidate?

Phillips: Yes. Whatever he was trying to prove, he was very effective. And he made up all kinds of slogans in his fights against health insurance, both on Governor Warren's health insurance program and on President Truman's. Remember that President Truman did have a full-gauge health insurance thing. It was years later before medicare came along under President Johnson. Whitaker fought both Truman and Warren. He got paid by the medical lobby. I'm trying to think of the slogan he--oh, yes, he took an old painting, done maybe back in the 1890s or '80s that you've perhaps never seen, called "The Family Doctor"--an old medico sitting by the bed with a little sick boy and the kid's mother at the bedside. And the old doctor is stroking his beard and holding the little kid's hand. Whitaker dug up that thing and concocted a slogan which went something like this: "Let's keep politics out of this picture."

Fry: That's very hard to fight.

Phillips: And those things were alleged to have been distributed to doctors to be put in their waiting rooms. Doctors, who didn't play around with politics at all, evidently accepted it because this was their own medical group shoving it on them. I noticed a few when I was waiting to see my eye doctor one day--three or four of these post-card sized things. He didn't have a big one up on the wall, but some other people may have. I didn't look on the other side of the cards to see if you could address them and send them through the mail.

Fry: Or put in with patients' bills.

Phillips: Yes, perhaps something like that. I wouldn't know. But here these were, on the table of the waiting room of my doctor. And this guy was a very reputable person and never mixed up with politics at all. If he went for it, imagine what some of the more politically minded doctors might have done.

But that was the way Whitaker operated. You asked about the difference between the way Whitaker operated and the Samish type of operation. I cannot remember any allegations of Whitaker bribing people and anything like that. He was tough and a clever sloganeer, and worked out some things that were bright, in a way, but within the law, and simple, so everybody could understand them--or not understand them. They think they understand them, like, "Let's keep politics out of this picture."

Fry: Verne Scoggins, who was Warren's press man in the governor's office, is now in Whitaker's organization.

Phillips: Of course, it's reorganized now, I imagine. Whitaker is dead now. There's another Clem Whitaker, his son, who took over.

Fry: There's a large organization now.

Phillips: It started out as Campaigns, Inc., and the name itself indicates the thing that Whitaker was interested in. He felt that he'd rather go into this business than stay in the newspaper and newsletter business. It was his belief, apparently, that he could handle these ballot propositions. They were tough issues--and often things that the legislature ran into stalemates and disagreements on, and, for one reason or another, a measure doesn't get passed. So somebody puts it on the ballot. And then the fat is in the fire and it has to be fought out that way. Whitaker's organization was available to handle things of that kind--sometimes for, sometimes against.

Fry: Scoggins fought Proposition 9 in our last election, which was an issue against air and water pollution. His slogan for that was, "Proposition 9 has bugs in it."

Phillips: The touch doesn't seem to be so sure now that Whitaker is gone. Whitaker was an extremely bright phrase-maker. I don't know Mrs. Baxter, who was really Mrs. Whitaker, you know. They used to have offices here in Sacramento after he went out of the newspaper business, and they started out modestly and had some sort of a Capitol news service or something like that. It's not to be confused with this one that Henry MacArthur has had over here for some years with the title of Capitol something-else.

At any rate, Whitaker ran that and handled news to papers that didn't have any correspondents in Sacramento, and then to all the little papers that would never dream of having any. For example, you can understand that in Podunk, if the freeway is going to go through there, the bid on that thing and the award of the contract is a great big story in Podunk. Whitaker provided that story, you see. And he wrote a little column, too, with a little local slant in it.

So, he played all the keys on the keyboard, and he was legitimate and also very effective. But he professed to be completely clean. He wasn't bribing people and things like that. It was a kind of forthright lobbying, but usually through slanted propaganda pieces or advertisements. His organization occasionally lobbied. As I say, when Warren was governor, Whitaker lobbied against the health insurance thing.

Fry: Did they lobby specific legislators?

Phillips: How else can you lobby? Some people that had been hired by them did, yes. But that was a long time ago, and he was on the side of the medical fraternity fighting Warren. That's one of the things that you mustn't fail to give Warren plenty of credit for, because, after all, he got beaten the first time and he came at it again and again. I think he must have come in about two or three times with it. He didn't quit easily, you know. He believed in it. I think his first pitch was before Truman made his. And Truman's was very much like his.

Board of Equalization Reorganizations

Fry: I do want you to finish your explanation of the Board of Equalization. Do you recall Paul Leake's role as a member of the board?

Phillips: Only that he published The Woodland Democrat, a small daily; I've got the idea that Leake's son is running it now. As a matter of fact, Paul was a collector of customs for the Port of San Francisco at one time, I believe. On the Board of Equalization he was not involved in the liquor control scandals.*

The Board of Equalization is one of the oldest elective agencies in the state government. It's like lieutenant governor, secretary of state, controller, attorney general, and so on. It's a constitutional body.

In the beginning, it was just a tax equalizing agency. They were trying, if possible, to balance, as evenly as could be, the burden on the taxpayer for state government and for local government. They were supposed to equalize taxes between counties, too, because assessments are different, you know. That's what their duties once were, and they had a little office at one time, tucked away at one end of the old Capitol building. Just two or three little offices and a meeting room. It was a small operation and its duties were rather restricted. It was originally created as a constitutional body, and the members are elected on a district basis, instead of on a statewide one.

So, then in 1933 comes the Riley-Stewart tax plan, to finance the state government in large part by sales taxes. That tax was imposed, and was followed a bit later by the personal income tax. The sales tax was turned over to the Board of Equalization for administration, and that was the beginning of the growth of the power of the Board of Equalization. They had to recruit a tremendous auditing staff; they had them all over the state of California. Somehow I feel I've already covered all this in our talks. Anyhow, the state Franchise Tax Board handled the state income tax. But the legislature did get in the habit, in those years, when something new came up which had anything to do with revenues, of handing it to the Board of Equalization for administration.

When prohibition was repealed and liquor became legal again, the Alcoholic Beverage Control Act was passed, setting up ground rules for licensing the offsale and the onsale of liquor. And it was turned over to the Board of Equalization for administration, and that brought in another great cadre of investigators and law enforcers. They had a liquor control division as well as a sales

*See Leake materials in California State Finance in the 1940s, Regional Oral History Office, University of California at Berkeley, 1974.

Phillips: tax division, so the agency was getting big, big, big. And that was when some of the stuff that you're interested in began to come in--a little monkey business here and there. The board members were elected on the district basis, so there was a tendency to pass, on regulatory matters and liquor law violation penalties, on motion of the district member.

Fry: For licensing?

Phillips: And for penalization for violations, too, oftentimes. The liquor control administrator would attend the board meetings and read off these charges on cases they had checked out. And sometimes the board member from the district in question would turn to the chairman and say, "I move--," and that was that. And, most of the time, the rest of the Board of Equalization went along automatically. You see that they had a great deal of power; and then, of course, the liquor dealers themselves--all of this was commonplace, and you can get these out of the files of the newspapers of the day. You can get more than I can remember to tell you now. I can just give you an outline of it.

The legal license fees were--oh, they were high enough, but it wasn't extremely expensive to get an original liquor license for a saloon--that's a joke. We're not supposed to have any saloons in California.

Fry: What do you call them?

Phillips: Cocktail lounges, or whatever. You never see them called saloons as such. Somebody had the idea in the good old days, before prohibition, that they weren't a good influence, so in drafting the ABC Act somebody said we couldn't have saloons.

The licensing for a little store where they sell beer and wine over the counter, not for consumption on the premises, would be considerably less than that for what we would call a saloon. The licensing fees were not terribly high, originally--a few hundred dollars at the outside. And then when a guy wanted to sell his place, he sometimes would enter into some sales agreement which ultimately, in many instances, became scandalous.

Theoretically, the state examined the place of business and found it to be appropriately run and clean and all that kind of stuff, and they would license the place. But if a fellow wanted to go out of business and sell it to somebody else, he could enter into an agreement with the purchaser on some wild price what would be way up in the thousands, and it got to be an open scandal. Things were being charged.

Fry: And the buyer of a liquor store or bar could not get a license from the liquor control board; they had to buy it from the owner--is that right?

Phillips: Well, it amounted to that. Of course, the state had to issue a license, and did routinely, I suppose, once the establishment changed ownership, unless the state had some reason--some criminal record or that type of thing--to refuse a license.

Fry: Did they limit the number of licenses?

Phillips: Oh, yes, the law limited it to two at one time in certain areas, if I remember correctly. That was another thing that made it so precious. Some areas were only allowed a certain number of licenses, so the resale prices went up, up, up.

Fry: Was that legislation put forward by the liquor board?

Phillips: Samish and his associates took care of the liquor thing pretty well. He represented both beer and hard liquor with his corps of assistants. He represented them well, from their point of view; but as time went on, the suggestions were growing that there were things going on in the board that weren't right. And it got to be an open scandal, and so eventually the thing was shaken up badly, as it should have been.

A while ago you mentioned Leake. Yes, he was interested in doing something about correcting these things. But favoritism and license resales and all this hodge podge of things began to pile up. And the question was raised of people taking money for themselves. It all wound up with some reforms, and Mr. William Bonelli fled, if that is the word--took off for Mexico and never came back. I often wonder if they are still impounding his retirement pay in the state controller's office. Yes, and he's been trying to get it from time to time. It ultimately must have amounted to many thousands of dollars.

Fry: I think he died in Mexico.

Phillips: Well, he kept out of the hands of everybody who might have filed charges against him.

Fry: Can I read you a note that I have here on this? From the time that the liquor control board was created, the Board of Equalization itself sometimes recommended that its liquor licensing functions be removed from its jurisdiction. Bonelli made some public statements now and then through the '40s that they needed to get liquor licensing out from under the Board of Equalization. However, he seems to have fought the similar constitutional amendments when they were

Fry: on the ballot from time to time.

Phillips: Some of the board members might have sincerely wished that they could get away from the thing, but the public must have been rather surprised to find that some of the board members fought very hard to retain the system. On the other hand, I'm sure Ray Riley and Leake and Bob Kirkwood, when he was controller, would have liked to get out. Each of them was a very independent person.

In the Board of Equalization setup all the small counties in the northern part of California were one district, and then another district included Sacramento, Alameda County, etc.; the San Francisco area was a district, and then there was a Southern California district. The state was split four ways on the board, with the state controller an ex officio member.

Fry: Was this one of those offices in which the voters really don't pay too much attention, and once you're an incumbent you might stay in forever?

Phillips: That was largely true. It was very hard to oust people from it. And, as you can see, without trying to impugn anybody's motives, if a board member played very nice with the liquor interests, why, they would support him. After all, you've got a built-in political organization, if you want to bring it into play. That was the charge made lots of times, of course. So, at any rate, that power was finally taken away from the Board of Equalization entirely, and a separate liquor control board was created.

Fry: I have one more person to ask you about in conjunction with the various moves to reorganize the Board of Equalization. What was Alan Post's role? He suggested at one point that the position of state treasurer and controller both be abolished. What did you think about that?

Phillips: Bear in mind what his position is. He's supposed to be the budget analyst for the legislature, and that's his job. He comes up with various ideas for clearing out the dead wood and reorganizing things. So he offers proposals now and then in the interests of economy, and the legislature sometimes accepts them and sometimes doesn't. It isn't important, I don't think. I mean, he doesn't mess with anything but budgeting and the organizational aspects of politics. He's an administrative person. An analyst for the legislature. He's a painter, by the way.

Fry: I know. Over in the administrative side, did you hear anything at the time that Tom Kuchel was appointed as controller that maybe Warren had given him instructions to do something about Bonelli or clean up the liquor control board or anything?

Phillips: No, I don't remember that. Although Kuchel was never very unfavorably mentioned in this stuff over there on the board. As controller, he was an ex officio member of the Board of Equalization. There was no great outcry at any time about what he did. I remember when he came up here first as a young man, as a state assemblyman. At that time he was a great admirer of the record of Hiram Johnson.

And, of course, he very much admired Warren, too. As time went on he got to be a much more liberal fellow than he realized, perhaps, and he did outlast the entire Republican brigade up here. They all went out, all the big powers.

IX THE CALIFORNIA REPUBLICAN PARTY AFTER WARREN

Thomas Kuchel and William Knowland

- Phillips: When Warren went on to the Supreme Court, he left California with several people contending for the governorship. Tommy was one of them, but he was low man on the totem pole.
- Fry: He went to the Senate in '52, didn't he?
- Phillips: Yes. At any rate, after Warren left, all the big Republicans, one by one, got beaten: Knight, Knowland, Kuchel--the big three in power in the Republican party after Warren left for the Supreme Court.
- Fry: Kuchel stayed on longer than Knowland and Knight.
- Phillips: In the course of your investigation, by the way, if you have any occasions to talk to Knowland, I thought you might look just as innocent and meek as you can and inquire in a very ladylike fashion, what ever prompted him, when he was top man in the United States Senate in his party (he had been majority leader and minority leader), to rush out here and run for governor in 1958.

Bill came up here as a very young assemblyman--about twenty-four or something--and then he went to the state senate, and Warren finally appointed him as U. S. Senator. Warren never seemed to me to go along with the type of conservatism that used to be associated in those days with the Oakland Tribune, but he did give Bill this position. Bill worked himself into a position of U. S. Senate power, and why he left that and came out here and waged that campaign still puzzles me a little.

1958 Campaign for Governor

Fry: Did that seem to be more of a conservative stance for Bill Knowland, when he ran for governor, than he had appeared before?

Phillips: In the Senate? Sure. Sure. It came out right in his first speech up in Redding, after just having hit the state. A good many of us had gone up to be there when he arrived. He was going to make a run down the state, just coming out of Washington, clear to Southern California. I dropped off at San Mateo; by that time I had what turned out to be the principal ingredients to his campaign, because he was a very blunt man who spoke out plainly. The first thing out of the bag was the right-to-work thing. That turned labor against him, right off the reel. Surprised the hell out of me that he went that far.

I never confused him with being progressive or anything like that, but he was a sensible conservative of the period in the twentieth century in which he grew up. It was quite different from the conservatism of his father's time. And it's normal that that should happen. Many a conservative father has produced a child who is conservative, too, but the language will be a little different, and they'll sound more in line with their own time than their father will. And so, it seemed to me, was Bill.

Fry: What caused Bill to be pushed into this governor's race?

Phillips: That's the question, I say, that you should have put to him. I've never been able to figure it out to my complete satisfaction.

Fry: Well, there must have been some faction in the Republican party that was eager to see him run for governor in 1958.

Phillips: Oh, yes. You see, he had been suggested for the presidency by some people at the time of Eisenhower's first big illness. The heart attack in '55. They were talking about various people, and Bill was mentioned by some of the press on the subject; whether he took it very seriously or not, I don't know, but, at any rate, there was some of that. But he was a top man in the U. S. Senate, just the same. He traveled in Taft's footsteps, presumably with Taft's blessing, in the party leadership in the Senate, you know. I've always understood that Taft looked favorably upon him for that.

Maybe the answer is as simple as this: if he was not going to make the presidency, perhaps (and I don't know how seriously he ever took the presidency thing; but, at any rate, there were a number of articles written about it, and it was talked about at the time the President was ill), it may be that he figured his political

Phillips: future rested in California, rather than there--that he wouldn't have gone any further there. Or, maybe he just had a longing to be governor of California. A lot of men do. Remember Mr. Nixon.

Fry: What about Knight--why did he switch from trying for another term as governor to running for the Senate that year?

Phillips: They made a switch during the middle of the campaign that ruined both of them. That was the great Republican switcheroo, you know. I devoted a whole chapter in my book to that. Knight had declared for another term as governor, you understand. They pushed him out of it. In a rather rude, tough way. Which Bill Knowland flatly denied having had anything to do with. And I wouldn't be surprised if he didn't do anything personally.

Bill said, and it got into print (not quoting him directly, of course), that he had every expectation of facing Governor Knight in the primary campaign for governor. People who favored him over Knight certainly did force Knight out of there, you know. They had difficulty with finances and stuff. So they made that switcheroo, and so Knowland was running for the job for which Governor Knight had already announced, and they just messed themselves up as badly as a couple of men can do. The rest of the Republican party was shivering in their boots; I mean, the rest of the constitutional office-holders were afraid they would all go down the drain in this kind of a mess--the two top positions switching after the campaign had actually started.

Fry: I thought it was a battle between the conservative money interests that backed Republican candidates and the less conservative interests.

Phillips: Oh, there was some of that, but their own personal ambitions got into it, too. There's no question about it.

Fry: Well, I'll let you know if I ever find out, unless it's under seal.

Phillips: That Republican campaign would never look good, even if somebody gave it a full beauty treatment and wrapped up the loose ends in seals.

Summing Up

Phillips: Now, getting back to health insurance and other big issues that Warren got in there and banged at, time after time. Those are the things that you've got to emphasize. On so many issues (I don't

Phillips: know whether it was his Scandinavian background or what) he had a strong personality and he would never give in. He kept batting his head up against that health insurance thing, and it was a lost cause in that period, at least; but he believed in it and he kept fighting for it. And he had a tough one on the highway expansion thing, too. Some people may think that some of his maneuverings were just election politics, but as a governor he did a hell of a lot, and that's really one of the big things that you've got to report on him. Some observers seem to be still puzzled about why the man was the kind of a Supreme Court justice that he was (of course, there's not question about the record there), but it has always seemed to me that some hint of that rested with several of the things he did out here as governor.

As I said, when he first came in, he had to fight to finance state government the way he thought it should be done--like on the gasoline tax that time, on the intelligent use of wartime reserves to rebuild state institutions, on the reestablishment of state government on a sound fiscal basis.

Fry: Well, we've come to the end of another tape. You've really given us a lot of material to think about.

[On July 27, 1972, a week after taping, Mr. Phillips summarized his thoughts on Warren's career in the following letter, written in the style of an oral history interview, as follows:]

Fry: You've seen a lot of governors come and go. How do you feel Warren ranks among them?

Phillips: That's a nice question. I covered the administrations of nine governors--William D. Stephens through Edmund G. Brown, Senior. I know the Hiram Johnson story pretty well, but he had gone to the United States Senate by the time I got home from World War I. And I had retired from daily newspaper work before the election of Ronald Reagan. In terms of overall career, I have to rank Earl Warren as number one. Johnson followers would probably disagree.

Fry: How do you mean "overall career"?

Phillips: Johnson and Warren both had remarkable gubernatorial records. Johnson turned California's governmental goals and directions completely around, especially in the legislative session of 1911 and the years immediately following. But the state's problems and population had grown amazingly and had become vastly more complicated by the time Warren reached the governorship in 1943. I think

Phillips: public men have to be judged by their whole careers. Even with Hoover Dam and the like, I feel Johnson's days in the U. S. Senate were not as outstanding or as productive as his gubernatorial terms had been. At times, after his bid for the presidency failed, he appeared to become querulous and disgruntled. Not only were Warren's eleven years as governor progressively productive, but the sweeping influence of the Warren Court's decisions in the years afterwards is beyond question.

Fry: Just for the record, how would you rank governors aside from Warren and Johnson?

Phillips: It's hard to say. Oh, I suppose Pat Brown number three--two terms as governor, the California Water Program, "responsible liberalism," election reforms, the master plan for higher education, things like that. And I guess C. C. Young, maybe, as number four, because of his brief restoration of Johnson-Stephens GOP progressivism in the late 1920s, and his governmental reorganizations, turning a hodge-podge of a hundred or so scattered state agencies into a few federal-plan large departments, operating for the first time under a governor's cabinet form of government. That may sound pretty obvious now, but so was crossing the Atlantic after early explorers had shown the way.

Fry: I notice you haven't mentioned a single governor before 1910.

Phillips: Well, let some older guy do that, if you can find one. I was quite a small boy before 1910. And California was quite a small state, except geographically. They were still hauling in the grain with ten-mule, jerk-line teams. And moving a lot of freight on stern-wheel river boats. The state's population, even in 1910, was only a little above 2,300,000. Leland Stanford and some of the other governors of last century had their skills, without question, but they did not have anything like twentieth century problems to use them on. We were not yet "an empire beside the Pacific." Or, if we were, it was pretty much a Southern Pacific empire until Johnson came along.

Fry: You were going to say something more, I think, about Earl Warren's policies and programs during his years as governor.

Phillips: Just a few things, yes. It would take a book to deal with his many proposals and objectives during his eleven years as chief executive. I will mention just a few of them. I have always thought that his broad-guage program for public health insurance was outstanding. I think I've dealt with that adequately.

Fry: It came on fairly early, didn't it?

Phillips: Yes, it did, and in the face of elaborately organized opposition from the medical profession, or what Warren called an "eloquent minority" of it. Former Governor Culbert Olson, a very partisan Democrat, liberal but highly controversial, previously had urged a state health insurance plan. Warren fought two or three times in the legislature for a tax-supported health insurance system. Sometimes a public man's goals and courage can be accurately judged by the big battles he loses. Particularly the pioneering battles. Harry Truman tried later for a similar federal plan. It was some two decades before even Medicare was added to Social Security in the Lyndon Johnson presidency.

Fry: But Warren lost that early health insurance fight.

Phillips: Not entirely. Ultimately he won passage of a sickness and disability plan, insuring working people against off-the-job injuries and illnesses and paralleling the Workmen's Compensation Insurance of the Hiram Johnson regime for on-the-job injuries. Under Warren, California became the first big state to approve off-the-job sickness and disability insurance. At the time, little Rhode Island was the only other state in the Union with such an enactment.

Fry: And wasn't there a big fight with the oil interests during the Warren governorship?

Phillips: There was indeed. I think I've pretty well covered it. The state was growing at an astounding rate. The existing highway network was inadequate. Warren sought, and ultimately obtained, increases in the gasoline and other highway user taxes to launch an elaborate system of needed multilane freeways. The oil lobby worked early and late to beat him. Warren won, after taking his case to the people in blistering radio attacks on "invisible government" in Sacramento. Network television was not around in those days.

Fry: There must have been many other important programs in Warren's three terms as governor.

Phillips: As I said a while ago, it would take a sizeable book to list them all. I think, offhand, of his early advocacy of election campaign fund reporting reforms, his support of the Central Valleys Project, his proposal for a fair employment practices act, his continuation of governmental reorganizations, the stability of government he provided, free of political scandal, for eleven years, and many other things.

He usually won. Sometimes recalcitrant legislative blocs beat him. He continued to fight. One phase of his state management, often overlooked, is the careful control of public finances

Phillips: when World War II revenues suddenly changed the state treasury condition from a decade of deficits to a period of unbelievable surpluses. It would have been easy to let the legislature go on a spending spree. Instead, Warren insisted that much of the surplus be stowed away in reserve funds for postwar rehabilitation and reconstruction. The ravages of the Great Depression and shortages of building materials and manpower during the war had reduced the state's physical plant almost to a shambles. Some of the state mental hospitals, for example, were described as little better than firetraps. When the carefully preserved treasury melon finally was cut at the end of the war, there was enough reserve money to rebuild and expand hospitals, educational facilities, prisons, reformatories and other state institutions, and even enough for a large appropriation to help local governments with postwar rehabilitation of establishments which had been neglected, or at best patched up a little, during the dreary span of years since the market crash of 1929.

Some may say there was, perhaps, nothing very dramatic in all this. But, bearing in mind that the state had faced a mounting deficit during most of the twelve years of the Rolph, Merriam and Olson administrations (through no fault of theirs, really)--and often had been obliged to pay its current bills with registered IOU warrants--the intelligent handling of this sudden pot of gold did reflect a great deal of credit, it seems to me, on the public affairs management capabilities of Governor Warren.

Fry: I'm sure you could remember many other interesting aspects of Warren's career. I've gone over his record in numerous other interviews. What do you suppose made him tick? What made him the kind of political figure he ultimately became?

Phillips: I wish I knew. You can't get into another man's skull. A stroll through Warren's conscious and subconscious mind would have been fascinating. Along with the big smile and outgoing personality, I have always sensed another very private man--quite serious, close-mouthed, and even a little stern, sometimes, when vital matters were at stake. I suppose you could call him a practical idealist.

He wouldn't like the suggestion, but perhaps a first generation American, as the rent-a-car ad slogan says, "tries a little harder." Perhaps the American dream is a little clearer, and the compulsion to make it increasingly brighter is somewhat stronger than it often is with men of older American heritage who, all too frequently, become bogged down in the complications, difficulties and up-and-down characteristics of a still relatively young democracy. Merely a pet idea, of course. But I have written about Warren's public life as "the evolution of a progressive." And I have noted that,

- Phillips: as California's last nonpartisan, before the repeal of cross-filing, he practiced nonpartisanship in the conduct of state government, not just at election time. And it is well to remember his political credo when he stood for President in 1952: "The American people... are definitely committed to social progress."
- Fry: This has been a long session. Maybe we ought to get something to eat.
- Phillips: As they always say on these talk shows, thank you, Mrs. Fry.

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Warren Will Mark 80th Birthday Friday

From Sacramento Bee, March 1971

By Herbert L. Phillips

Comparing the records of public officials, especially records made under sharply varying conditions and at

widely separated periods in time, is a tricky business. It is something like comparing the baseball talents of Wee Willie Keeler and, say, Mickey Mantle.

Nonetheless, judged by his overall achievements, as a man 80 years old this coming Friday has a right to be, Earl Warren is the most distinguished public figure ever to hold the govern-

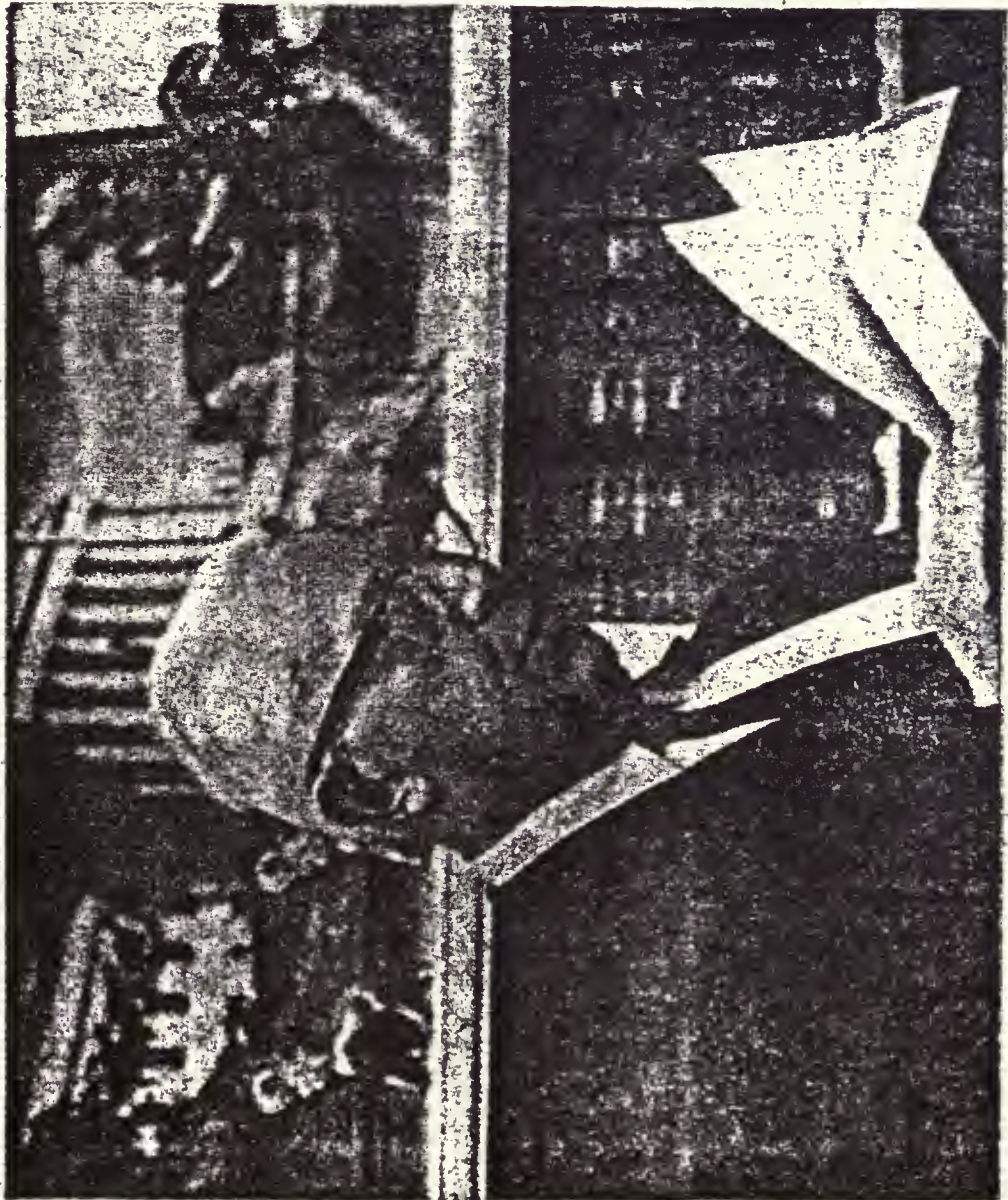
ment of California. He ranks near the top, too, among chief justices of the United States, in terms of the importance of the Supreme Court's decisions during his tenure. This is a part of his lifetime accomplishments, the yardstick by which a public man's career ought to be measured.

PROGRESSIVE IN GOP

Warren was, and still is, a Republican, in the fast-dwindling progressive wing of that party. And here let us define progressivism, not as a political cliché or a campaign epithet, as it often is today, but as a forward-looking assessment of governmental needs and desirable public goals, coupled with a compulsive determination to do something about improving the situation.

Objections to this birthday accolade for Warren may very well be interposed in behalf of two other outstanding progressive governors, Hiram W. Johnson and Edmund G. "Pat" Brown. Each was a notable chief executive. Johnson completely reversed California's political directions in the years before the first global war. Brown was unquestionably California's greatest Democratic governor in this century.

What is persuasive where Warren is concerned is the totality of his record — what he did and tried to do in three unprecedented elective terms as governor and the new ground he helped to break, on even more pressing issues of national importance, in the years since. Many feel that Johnson became somewhat more negative in his postgovernorship days, especially in the closing years of his long service in the United States Senate, and that he sometimes appeared to have become embittered after his two unsuccessful attempts to win the Republican presidential nomination. Brown, so far at least, has not returned to public service since his de-



Earl Warren's 80th Nears

distinguished chief justice, Warren has become the most famous living Californian in the field of public service. Other stories and pictures on page A12.

Chief Justice of the United States Earl Warren, retired, shown in his Washington, DC, office last week, will celebrate his 80th birthday Friday. A former governor, attorney general and

No Other Governor Did As Much

feat for a third gubernatorial term by the charismatic but extremely conservative Ronald Reagan in 1966.

CONSERVATIVE PATTERN

There is no reason, theoretically anyhow, why a conservative governor might not rank with the best. However, the political posture of such executives, in California at least, seems to have made them reluctant to tackle the big problems of their day with affirmative programs.

And so, because of their innovative approach to difficult issues, both during their gubernatorial service and their public lives generally, top honors go to Warren, Johnson and Brown, in approximately that order. Of the other seven governors, between Johnson's time and Reagan's, two or three were better than aver-

that Los Angeles boasted only 320,000.

It would take many columns to review how Johnson broke the stranglehold of the railroad empire on California politics or to discuss, even briefly, the other reforms he brought about between 1910 and the spring of 1917. The same is true of Brown's California Water Plan and the rest of the programs he sponsored between 1958 and 1966.

And it would require a book of considerable size to recount even the most outstanding achievements of Warren in an adult life devoted solely to public service, including an unparalleled 11 years as governor, from the start of 1943 until the closing months of 1953, plus more than a decade and a half on the Supreme Court.

Obviously that cannot be attempted in this short piece. But it is pertinent to recall how he brought an honest nonpartisanship into the management of California government; how he battled the oil lobbies to expand the state's freeways and transportation system; how he fought for cleaner politics; how his judicious handling of public finances enabled California to rebuild and expand hundreds of vital institutions which were a shambles after long years of depression and war.

And it should not be forgotten that California, under Warren, became the first populous state to inaugurate a program of off-the-job sickness and disability insurance for working people. Nor that Warren was fighting for an overall system of public health insurance before Harry Truman advocated the same thing nationally and many years before Lyndon Johnson came along with Medicare.

Warren's management of public affairs was so uniformly successful that he was virtually unbeatable at the polls. He had his detractors, of course, mostly among political right-wingers. But he was never an extremist, in any sense of the word. In 1946, the Democrats as well as the Republicans nominated him for reelection, a happening almost unheard of in a two-party state, at least for the office of governor.

Then, after Warren's third-term re-election in 1950, came his gubernatorial

resignation near the end of 1953 to become chief justice of the United States. Soon after came the Supreme Court's school desegregation decision, followed a while later by the "one-man, one-vote" ruling that many other landmark decisions which made Warren's name a household word around the country and won him wide respect around the world. Along with the dislike of the far right, with its rash of "Impeach Earl Warren" automobile bumper strips.

Before all this, when he was a candidate for the Republican presidential nomination in 1952, Gov. Warren stated his views on progressivism very plainly at a meeting of the Republican National Committee in San Francisco.

The Republican party had never had a radical wing, he said, but it did have its "extremists of the Right," vocal and influential, who tended to look back to "the good old days" with nostalgia and who "would freeze our nation to the status quo with whatever inequalities go with it."

Warren advocated "a forthright repudiation of this thinking" by the Republican party.

"I am convinced," he said, "that the American people are not Socialists and will not tolerate socialistic government, but they are definitely committed to social progress."

These views were a fair summary of the kind of leadership Warren had tried to give California in his long years as governor, and provided an unmistakable hint, too, of the principles most likely to guide him in any future role he might play in public life.

Admirers of the late President Dwight D. Eisenhower often like to cite, as one the most significant things he ever said or did, his warning to the American people against the growing power of the military-industrial complex. Sometimes, thinking about the democratic process, interpretation of the United States Constitution, "social progress" and the like, one is inclined to wonder whether the most significant thing Eisenhower ever did in the presidency may not have been his appointment of Earl Warren as head of the Supreme Court.

Herbert L. Phillips has been a California political writer for the greater part of half a century. He was the political editor of the McClatchy newspapers for 30 years before his retirement in 1963. He is the co-author of "California, The Dynamic State" (1966) and the author of "Big Wayward Girl," an informal political history of California (1968).

age, a couple were mediocre and the good intentions of the others were often frustrated by the economic conditions and political uncertainties of their terms of office.

The 19th century's long chain of single-term governors is hardly relevant to this brief survey. The California with which these men dealt, while sometimes hard to govern, was uncomplicated by the massive waves of new population, the westward spread of industrialization and the multiplication of public problems which came later.

It is well to remember that Sacramento had a population, in generous round figures, of only 45,000, even when Johnson first won the governorship in 1910; that San Francisco, California's metropolis, stood at 417,000;

Warren of California

BY HERBERT L. PHILLIPS

EARL WARREN of California is the only Republican candidate for President who bases his bid for the nomination upon the fundamental contention that the Republican Party must become more progressive or lose the November election, as it has lost every national election since 1928.

Facing the Old Guard of the Republican National Committee, meeting in San Francisco last January 17, Governor Warren stated this position very plainly:

Our party has never had a radical wing, but we have our problems just the same because we do have in it extremists of the Right—those who would freeze our nation to the status quo with whatever inequalities go with it and those who would have our country return to what they look back to nostalgically and affectionately call the good old days.

I believe these extremists of the Right are not as numerous as they are vocal and influential. It is my very deep conviction, however, that, unless there is a forthright repudiation of this thinking by our party, we will suffer again at the hands of the voters.

I am convinced the American people are not Socialists and will not tolerate socialistic government, but they are definitely committed to social progress. Any party which turns its back on social progress will be repudiated by the people.

He then proceeded to document his argument for

Republican liberalism with extensive quotations from the G. O. P. platforms of 1944 and 1948. What the Republican Party must do, he insisted, is practice what it preaches, not just at campaign time but between elections. The American people want a change in national administration, he went on, but they want to know to what they are changing and they will not switch parties simply for the sake of change itself. "The Republican Party," he said, "cannot make its appeal on the basis of invective, ridicule, or negation."

That kind of talk, frequently reiterated this spring and added to several lively battles with special-interest lobbies in the past, has prompted disgruntled factions of the Republican Old Guard in California to set up a rival ticket, headed nominally by an ultra-conservative Congressman, Representative Thomas H. Werdel, for the June 3 Presidential primary. If this seventy-member anti-Warren slate wins over the Governor's ticket, the scheme is to release all California delegates at the convention, allowing them to vote as they please for any of four listed "legitimate" G. O. P. candidates: Taft, MacArthur, Eisenhower, and Stassen. The Old Guard advocates of this proposed "uninstructed" delegation are denouncing Warren as guilty of "Trumanism."

This is a far cry, indeed, from the situation in January, 1943, when Republican Attorney General Warren assumed the California governorship, having unseated Democratic Governor Culbert L. Olson at the previous fall election. It was the fashion in the liberal wing of the defeated Democrats at that time to classify Warren as simply a good-looking, genial stooge for the Republican reactionaries. It was argued that the Old Guard, finally

This is the fifth of a series of profiles of persons most widely mentioned as possible Presidential candidates. Herbert L. Phillips is political editor of the McClatchey newspapers of California.

May 24, 1952

495

awake to its inability to win in California with obvious political hacks, had seized upon the pleasing personality of big, silver-haired Earl Warren as an effective mask for its drive to regain state-government control. According to this reasoning, the reactionaries were in the saddle again, and the progressive goals that Olson had recommended so persistently—but failed to reach—would be abandoned under Warren.

This forecast was drowned out by cries of consternation from the extreme Right, however, when Governor Warren, in the ensuing years, advocated a fair-employment-practices act, reorganized half a dozen major state departments, fought organized medicine in an attempt to establish a public health-insurance program, and obtained liberalization of old-age pensions, unemployment insurance, and workmen's-compensation benefits. The medical fraternity—or what Warren calls an "eloquent minority" of it—assailed him as a dangerous sponsor of "socialized medicine." Oil interests reviled him when he demanded gasoline-tax increases to modernize a highway system carrying the largest number of motor vehicles in the nation. He stepped on the toes of other interests when he worked actively for the Central Valley Project—and particularly for publicly owned and operated hydroelectric transmission lines to carry the federally developed cheap power of the CVP. And lobbyists were alienated by his demand for a strong lobby-control act.

Warren did not get all the legislation he wanted, but his stubborn efforts year after year soon convinced the Old Guard that he meant business and was altogether too progressive to have around. Democrats were dubious about this at first, claiming that he was a political phony shrewdly advancing progressivism in order to gain a reputation for liberalism which would be helpful at election time. Then Warren prevailed with a bill that made California the first large state to inaugurate a sickness-and-disability insurance system for working people. (Little Rhode Island was first in this field.) He followed that up with a measure giving hospital-aid benefits to workers. In this program California led the nation.

Meanwhile, California had absorbed in good order something like four million new citizens after Pearl Harbor. State facilities and institutions had to be enlarged to cope with what has been called the greatest peacetime migration in history. Tax rates were cut back below pre-war levels for six years, yet at the same time more than \$400,000,000 was saved for long delayed institutional public works. California became the second largest state of the Union in population with a minimum of growing pains. Inroads by the underworld were combated by a Warren investigating commission on organized crime which antedated Kefauver's national investigations. Not the least interesting thing about the Warren administration, considering the current national rash of exposés of corruption, is the fact that it has

survived for nearly a decade without any major scandal.

That survival itself contained elements of the politically spectacular. Availing himself of California's much-discussed practice of cross-filing on more than one party ticket, Warren conducted a "non-partisan" campaign in 1946—and won in the primary. The Democrats nominated him over their own candidate, Attorney General Robert W. Kenny. No California Governor ever before had scored such a victory. Bouncing back after the Republican defeat of 1948, when he served as a reluctant vice-presidential candidate with the overconfident Thomas E. Dewey, Warren tackled James Roosevelt in the 1950 gubernatorial campaign and was elected for a third term—also unprecedented in California—by more than a million votes.



Governor Warren

JUDGED strictly on his achievements, Governor Warren presents an arresting example of the political growth of a man in public office. Yet it is hard to put a finger on the causes of his development from district attorney and attorney general, primarily concerned with law-enforcement problems, to his present stature as one of the most outspoken advocates of progressivism in his party. His independence as Governor has produced painful headaches for conservative G. O. P. machine politicians who had taken it for granted that they would become his close advisers on patronage and his mentors on governmental policy. It turned out that, while Warren was willing to listen to advice, he insisted on making his own decisions. It also turned out that, while he was careful—even cautious—in arriving at a policy judgment, he was willing to stand by it with a stubborn courage which both his political enemies and his would-be handlers found extremely irritating. And what proved more irritating still was the discovery that, though he warmed up to almost everyone with the friendliness of a political extrovert, he appeared to have no cronies who could be depended upon to sway his decisions. If anything, Warren is cursed with an inability to delegate responsibility or authority in vital matters. There has been no palace guard in his Capitol, these last nine years.

When Warren took office in 1943, he surprised a good many people by approaching controversial public questions with what appeared to be an almost complete lack of political ideology. He did not seem impressed by assur-

ances that such-and-such was the liberal stand or that thus-and-so was the reactionary position. He preferred to "pick up the issue by its four corners"—he is certainly no Rooseveltian phrase maker—and judge it after studying all the facts.

As time went on, Warren, along with the rest of the state, seemed to recognize his middle-ground progressive inclinations, and nowadays he refers to them frankly as such. But in his first administration, even in his second, he was sometimes characterized as a master of improvisation. There seemed to be a public disposition, though—reflected at the polls—to regard intelligent improvisation, especially at a time of fluctuating population and economic conditions, as an admirable thing so long as the net result served liberal causes. There were those, too, who claimed that Warren blazed a forward-looking and untried governmental trail only when his personal observations and experiences led him in that direction. "If that is so," commented one observer, "may the good Lord give Warren more experiences."

THIS is Warren's thirty-third consecutive year of public service in California. Attempting to explain his climb from a minor political post in conservative Alameda County in 1919 to the rank of Presidential candidate whooping it up for progressivism—even urging the G. O. P. to absorb Democratic policies when they are sound—interested onlookers have dug into his private, professional, and political background for the answer. They found a devoted family man with a big smile—and a gubernatorial record which the Democratic President calls excellent.

Earl Warren was born in Los Angeles, March 19, 1891. Educated at the University of California, he was a World War I infantry captain. He began political life as a deputy city attorney in Oakland and moved on to deputy district attorney of Alameda County, district attorney, state attorney general, and finally governor. Politically, he has served as Republican state chairman and National Committeeman from California. He has

been married since 1925 and has three boys and three girls. He belongs to a dozen or so clubs, lodges, and fraternities and is a Past Grand Master of Masons in California.

If lifelong progressives find it difficult to explain why Warren turns up so often on their side of public questions, confirmed reactionaries accept the bitter fact that he does and dislike it intensely. Early in this year's pre-campaign Presidential maneuverings a California outfit known as the Partisan Republicans—repudiated, incidentally, even by Senator Taft—began circulating charges that the Democrats and the Communists were in an unholy alliance to build up Warren for the Republican nomination so that the leftists would be in power after the November election even if the Democrats lost. Eisenhower was berated in similar vein.

Warren's political effectiveness in his home state is unique. His support is not organized in the legislature even though both houses have Republican majorities. His success with tough issues is attributed to his willingness to take half a loaf at one session and try for the rest the next year. Warren long since broke with the Herbert Hoover faction of his party. On the big policy objectives which have made him a controversial figure it can be said truthfully that he has neither been backed nor dominated by the Republican State Central Committee or the county-committee leaders.

Warrenites recognize that their man's main chance of obtaining the Presidential nomination depends upon a Taft-Eisenhower deadlock in the convention. As a possible compromise choice in such circumstances, the Californian has been giving his own views of desirable Republican and national policy and largely abstaining from personal attacks on the other G.O.P. political camps to which he might later have to look for support. From his affirmative declarations, however, Warren is poles apart from Taft on both domestic and foreign policy; there is no indication that he takes Stassen any more seriously than the voters appear to be doing. Warren has said that he has no major disagreement with Eisenhower on international affairs, but he has also made it clear that he does not know, and would be highly interested to learn, the General's views on domestic matters.

Meanwhile, the Republican Old Guard misses no opportunity to publicize the fact that President Truman not only has praised Warren as an outstanding governor but on one occasion described him as "a good Democrat who doesn't know it." Governor Adlai Stevenson of Illinois also had words of praise for him recently. And Walter Reuther was quoted in a press dispatch as calling Warren "enlightened"—so enlightened, he said, that the Republicans will never nominate him.

To this extent probably most politicians will agree: electing Earl Warren to the Presidency would be very much easier than nominating him.

INDEX - Herbert L. Phillips

Alcoholic Beverages Control Act, 77-78
 Alcoholic Beverage Control Board [ABC], 66-67
AMAROC News, 11-13
 American Federation of Labor [AFL], 35, 39
 Assembly, California State, 45-51
 Assembly Committee on Public Morals, 67
 Atherton, Edwin N. and Associates, 70

banking industry: state registered warrants, 43-44
 Baxter, Leone [Mrs. Clem Whitaker], 76
 Behrens, Earl, 33, 52
Big Wayward Girl, 3, 9-11
 bipartisan politics. See nonpartisan politics
 Board of Equalization, 66-67, 76-81
 Bonelli, William, 79, 80
 Bromley, Elmer, 71
 Brown, Edmund G., Sr., 9, 28
 compared with Warren, 86
 election campaigns, 6
 1946, 34
 1954, 38
 Butler, Monroe, 71-72

California Democratic Council, 23
 California Republican Assembly, 22-25, 27, 32
 Carter, Oliver: and 1946 election, 34
 Central Valley Project, 74
 California; histories of, 9-11
 Campaign, Inc., 75
 Congress of Industrial Organizations [CIO], 35
 Constitution, U.S., 48
 courts in California, 70
 crime in California, 9
 cross-filing, 4-7, 40-41

Democratic National Convention, 1972, 28, 50
 Democratic party, 21, 24, 33-38
 California Democratic Council, 23
 cross-filing, 4-7, 40
 and Warren, 27-28, 33-38, 52
 Democrats, 24, 61
 and Warren, 4-8, 39

Department of Public Health [formerly State Board of Health], 66

Dewey, Thomas:

election campaigns:

1944, 4, 52

1948, 29

1952 Republican convention, 3-4

Doubleday Company, 10-11

Eisenhower, Dwight D.:

election campaigns: 1952 Republican convention, 2-3, 7, 30, 56-57, 59-60, 62-63

election campaign finance, 40-41

election campaign managers, paid, 73-76

election campaigns:

1948 presidential, 4, 30-31

1952 presidential, 3-4

1958 gubernatorial, 82-84

ballot propositions, 73-76

direct primary, 44-45

electorate changes, 28

See also Republican and Democratic national conventions

finances, California State, 43-44, 77, 85, 87-88

Fisher, Bud, 15

Franchise Tax Board, 77

Gallagher, Marguerite, 18-19

Gardner, Erle Stanley, 9

Garland, Gordon, 34

government, California State: growth and reform, 19-20, 66

governor's cabinet, 66, 86

governor's office, California:

governor's cabinet, 66

press conferences and releases, 19, 20

staff and administration, 66-67, 86

grand jury, 70

Graves, Richard, 37-38, 72-73

health insurance. See insurance, health

Hearst papers, 14

highways, 38, 72

hot cargo, 39-40

Houser, Fred, 52

insurance, health, 5, 27, 87

interest groups, political:

Chamber of Commerce, 45-46

labor, 35, 37, 38-40, 41, 46-48, 83

oil, 32, 38, 71-72, 85

physicians, 5, 74-75

power companies, 73-74

rural, 45-47

Southern Pacific Railroad, 44

See also lobbying

International News Service, 14

Johnson, Hiram, 28

compared with Warren, 42-45, 51, 85-86

elections, 6

as governor of California, 17, 20

journalists and journalism:

in U.S. Army, 11-14

in California, 15-16, 19, 20, 30, 51-52, 64, 73, 76

See also Phillips, Herbert

Keck, William B., 37

Kefauver Committee, 69

Kenny, Robert: 1946 election, 33-35, 40, 55

Killion, George, 18

Kirkwood, Bob, 80

Knight, Goodwin, 28-63

and labor, 37-38, 41

election campaigns:

1950, 52-53

1958, 84

Knight's Landing, 13-14

Knowland, William (Bill), 26, 55-56, 58-60, 63, 82-84

Knowland, Joe, 26, 27, 58, 83

Kuchel, Thomas, 80-81

labor, 35, 37, 38-40, 41, 46-48

League of California Cities, 38

Leake, Paul, 76-77, 79-80

legislation:

Alcoholic Beverages Control Act, 77-78

elections cross-filing, 6-7

gas tax, 72

highway bill, 38, 72

right-to-work bill, 38

legislature, California State, 49-52

budget analyst, 80

liquor control, 66-67

lobbying, 68-71

reapportionment, 45-48

See also Assembly and Senate

liquor control, 66-67, 77-81

lobbying, legislative, 68-71

highways, 38

League of California Cities, 38

liquor, 79

oil, 71-72

physicans, 5, 74-76

power companies, 71

McClatchy newspapers [Fresno Bee, Modesto Bee, Sacramento Bee], 15-16, 70

MacGregor, Helen, 18

Marine Corps:

Army of Occupation, World War I, 11-13

Marine Brigade, Second Division, 15

Merriam [Frank F.]: as governor of California, 19, 20

newspaper industry:

in U.S. Army, 11-14

in California, 15, 24, 73, 76, 77

Nichols, Luther, Jr., 10-11

Nixon, Richard, 63

elections:

1952 Republican convention, 3-4, 54-55, 58, 60-62

1962 gubernatorial, 36-37

nonpartisan politics, 4-8, 21, 27-28, 40-41

Oakland Tribune, 26, 82

oil industry, 32, 72

Olney, Warren, 69

Olson, Culbert:

compared with Warren, 4

election campaigns, 6

1942, 39

as governor of California, 22, 27-28, 33, 43, 87

relations with Warren, 18, 20

style, 4

one-man one-vote, 45-49, 50

- Patterson, Ellis, 34
 Philbrick, H.R., 69-71
 Philbrick Report, 69-71
 Phillips, Herbert L.:
 Big Wayward Girl, 3, 9-11
 family background, 13-14
 journalism career, 9, 11-20, 22-26, 28-34, 38, 42, 52, 55, 64-65, 68, 70, 85-86
 observations of Warren, 1, passim
 Phillips family, 13-14
 Post, Alan, 80
 power companies, 71
 Reagan, Ronald: election campaigns, 6
 reapportionment, 45-49, 50
 Republican National Committee meeting, 1952, 1-2
 Republican national conventions:
 1936, 21-22
 1940, 21-22
 1944, 29
 1948, 29-30, 58
 1952, 3-4, 7, 28-30, 52-60, 63
 Republican party, 62-63, 82, 84
 California Republican Assembly, 22-25, 27, 32
 conservatives, 2, 8, 32, 36-37, 41, 61, 83, 84
 cross-filing, 4-7, 40
 and Warren, 1-2, 4-8, 21, 25-27, 29-30
Reynolds vs. Sims, 45
 Richardson, Friend W.: as governor of California, 17, 19, 20, 51
 Riley, Ray, 80
 Rolph, Jim:
 election campaigns, 5-6, 28
 as governor of California, 19-20
 Roosevelt, James:
 1950 election, 33, 35-36, 52
 1954 election, 38
 rural interests, 45-47

 Sacramento Bee, 15-16
 and 1936 election, 24
Sacramento Union, 15
 Samish, Arthur, 67-73, 75, 79
San Francisco Chronicle, 15, 33
San Francisco Examiner, 15
 Scoggins, Verne, 54-55
 Seawell, Jerrold L., 21
 secondary boycott, 39-40
 Secretary of State, California, 3
 Senate, California State, 21, 45-51

- Shell, Joe: and 1952 election, 36-37
 Simpson [Ernest], 15
 Sinclair, Upton, 44
 Southern Pacific Railroad, 44, 86
 Stanford, Leland: as governor of California, 86
 Stars and Stripes, 12
 State Board of Health [now Department of Public Health], 66
 Stearns, Newt, 34
 Stephens, William: as governor of California, 17, 20, 51
 Stevens, Charles, 71-72
 Superior Oil Company [Keck's Oil Company], 37
 Sweigert, William, 7, 17-19, 63-64
- Taft, Robert, 83
 election campaigns: 1952 Republican convention, 2, 30, 55-57
 taxes, 43, 66-67, 72, 77-78, 87
 Truman, Harry: relations with Warren, 4, 8
- Udall, Stewart, 9
 Universal Service, 14
- Velie, Lester, 68-69
 Verboten, Ol' Man, 12, 14
- Walgren, _____, 12
 Warren, Earl:
 appointment to Supreme Court, 58-65
 as Attorney General, 25
 as District Attorney, Alameda County, 26
 and Democratic party, 27-28, 33, 38, 52
 and Democrats, 4-8, 39
 elections, 40-41
 presidential:
 1936 GOP convention, 21-22
 1940 GOP convention, 21-22
 1944 GOP convention, 29
 1948, 4, 30-31; GOP convention, 29-30, 58
 1952 GOP convention, 1-4, 7, 28-30, 41, 52-63
 gubernatorial:
 1942, 22, 33
 1946, 31, 33
 1950, 33, 52
 evolution of ideas, 1-2, 4-5, 7, 25-26, 85-89

as governor:

compared with Governor Johnson, 43-45, 85; with Governor Olson, 4
and interest groups:

labor, 39, 41

oil, 72

physicians, 5

legislative programs:

finances, state, 43-44, 85, 87-88

gas tax, highway bill, 38, 72

insurance, health, 5, 27, 87

relations with legislature, 51-52, 72, 87

relations with press, 19, 20

staff, 17-20, 27, 63-64

nonpartisan politics of, 4-8, 21, 27-28, 40-41

relations with:

Eisenhower, 60-61

Knight, 52-53

Nixon, 3-4, 61-63

Truman, 4

and Republican party, 1-2, 4-8, 21, 25-27, 29 - 30, 32, 51, 58, 63

speeches of, on social progress, 1-2

Werdel, Thomas: opposition to Warren, 7, 32, 36, 41-42

Whitaker, Clem, 73-76

Whitaker and Baxter and Company, 27, 68

Woollcott, Alexander, 12

World War I: Army of Occupation, 11-13

World War II: economic impact on California, 43

Young, C.C.: as governor of California, 19, 20, 51, 66, 86

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Earl Warren Oral History Project

Walter P. Jones

AN EDITOR'S LONG FRIENDSHIP WITH EARL WARREN

An Interview Conducted by
Amelia R. Fry
June C. Hogan



Walter P. Jones

TABLE OF CONTENTS -- Walter P. Jones

INTERVIEW HISTORY	i
I FROM NEWSBOY TO WORKING JOURNALIST	1
II EARL WARREN AND PEOPLE	4
<u>Sports Companions</u>	4
<u>Office Staff</u>	6
<u>Interest in Average Man</u>	8
<u>Family Life</u>	9
III OBSERVATIONS ON WARREN'S CAREER	11
<u>Early Years</u>	11
<u>Influence of the McClatchy Papers</u>	12
<u>On Becoming Governor</u>	14
<u>Appointments to the Bench</u>	16
<u>Other Governors and Political Figures</u>	17
IV POLITICAL RELATIONSHIPS AND ISSUES	20
<u>National Campaigns</u>	20
<u>Nonpartisanship and Independence</u>	21
<u>From Conservatism to Liberalism</u>	24
<u>Private Conversations</u>	28
<u>Persuading the Legislature</u>	29
<u>Associations with the Knowlands and Kuchel</u>	32
V WARREN'S 1942 CAMPAIGN	35
<u>Voters Against Olson</u>	35
<u>Editorial Positions of the McClatchy Papers</u>	35
<u>Campaign and Other Supporters</u>	38
V FURTHER COMMENTS	43
<u>The Bee Breaks the Megladdery Case</u>	43
<u>More on the 1952 Convention</u>	44
APPENDIX: Correspondence from Earl Warren	46a
INDEX	47

INTERVIEW HISTORY

Walter P. Jones was interviewed to reap the impressions of one who, as editor-in-chief of the McClatchy newspapers, has been a well-informed Sacramento observer of Earl Warren the Attorney General and, later, a close confere of Warren the Governor.

Interviewers: June C. Hogan and Amelia R. Fry.

Time and Place

of Interviews: September 16, 1969 (with Hogan)
August 25, 1970 (with Fry)
in Mr. Jones' office in the Sacramento Bee
Building, Sacramento, California.

The Interview: Considering that both sessions were recorded in the heart of the state capitol's busiest news center, the quotient of noise and interruptions was surprisingly low. One supposes this is due to a talented secretary who knew how to keep telephone calls to a minimum. Shortage of time was a much bigger factor to deal with, however, since the 75-year-old-editor-in-chief's schedule overflowed his calendar everyday -- a tribute to his vigor but a limitation on the session of one hour each. In fact, he heroically arranged the second session amid that period of the added duties of entertaining the supplications of a great variety of hopeful candidates who needed the support of the Bee newspapers in the off-year election of 1970.

Almost a year elapsed between sessions, during which time the project had collected several stories and issues, some of which, at the second session, were tested out on Mr. Jones. The reader will also find some follow-up discussions in session number two from topics touched upon in session one.

The interview is as wide-ranging as Mr. Jones' own panoramic view of the last half-century of California history and Earl Warren's career. While, understandably, most of the thousands of legislative bills and hoardes of lawmakers and

appointees during this period had blurred together in the mind of a man still on top of events popping today, he does set down in sharp relief his conclusions about past issues, elections, and public figures -- in addition to Earl Warren.

Mr. Jones checked over the rough transcript, answered a few queries from our office, and made very few additional corrections before returning it for final typing. He was content to let his first words stand.

Coincidental with the recording and processing of the interviews were the Bee's occasional history articles relating to Earl Warren, including a series by Merrell F. Small; Mr. Jones always saw to it that a copy of each was mailed to the project office. The Bee's library files also were made available to researchers, and selected letters from his own correspondence with the Chief Justice were released for inclusion in the interview manuscript -- except for that particular Bee editorial that Governor Warren reportedly carried in his pocket. Long-gone was any clue to the date that it originally appeared, but the editor gives us an idea of its specific content.

Taken as a whole, this manuscript displays Jones' conclusions, which long since had been forged by decades of keen observation in the heat of California's political and governmental trials and triumphs.

Amelia R. Fry

19 September 1973
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University of California, Berkeley

From San Francisco Chronicle, 10 September 1974



WALTER P. JONES
McClatchy veteran

Services For Editor W. P. Jones

Sacramento

Funeral services for Walter P. Jones, for 38 years the editor of McClatchy newspapers, will be held here at 11 a.m. today (Tuesday) at All Saints Memorial Episcopal Church, 2076 Sutterville road.

Mr. Jones, a newspaperman for 62 years, died Sunday at Sutter Memorial Hospital here after undergoing surgery. He was 80.

A native of Sacramento, he was delivering the Sacramento Star at the age of 10.

He frequented the Star's sports department, and one afternoon when he was 18 the paper offered him a new job. So he quit high school to become a police reporter, write obituaries and an advice - to - the - lovelorn column.

In 1919, Mr. Jones began his 55 - year career with McClatchy newspapers as the Sacramento Bee's capitol reporter.

He became the Washington correspondent for the Bee in 1928 and its managing editor in 1934.

The Bee won a Pulitzer Prize for its stories on corruption in Nevada while he was managing editor, and in 1936 he was named the third editor in the paper's history.

He was also responsible for the editorial content of the two other McClatchy papers, the Fresno Bee and the Modesto Bee, and for 38 years he followed the editorial leadership laid down by James McClatchy and C. K. McClatchy — supporting hydro-electric power and flood control, protecting the public interest and championing the cause of public ownership of basic utilities.

Mr. Jones was an avid golfer and gardener and habitually wore a bow tie and a flower in his lapel.

He was a member of numerous clubs and organizations, including the Sutter Club and the Del Paso Country Club in Sacramento and the American Society of Newspaper Editors and the National Press Club.

He is survived by his wife, Kathleen; a son, Walter P. Jones Jr. of Sacramento; a daughter, Mary E. Graham of Courtland; three sisters, Mrs. Fred Watwood of San Francisco and Mrs. Lee Carlton and Mrs. Don Shaul, both of Sacramento, and by five grandchildren and one great-grandson.

Friends may call at the W. F. Gormley and Sons funeral home at 2015 Capitol avenue until 10 a.m. today (Tuesday).

The family requests that memorials be sent to a charity of the donor's choice.

Our Correspondent

Date of Interview: 16 September 1969

I FROM NEWSBOY TO WORKING JOURNALIST

Hogan: Mr. Jones, tell us something about yourself prior to your going to work for Mr. McClatchy at the Bee.

Jones: I started here in Sacramento.

Hogan: You were born in Sacramento, and you went to school here?

Jones: Yes, I was born in Sacramento on July 4th, 1894, and I went to the Sacramento schools. From age twelve until April, 1912, I carried newspapers -- I used to carry the old Sacramento Star, which was a Scripps paper. I carried a route from Twenty-first Street to Thirty-first, B to J, and then I got a route downtown from Third to Seventh, between J and K. Then, after I got through delivering the regular edition, I'd go back and deliver the Pink Sheet which carried the baseball -- Sacramento had a team in the Coast League then. It was very easy for me to do it, because the old Star office was at 314 J Street. I would always go back there after I had delivered my regular route -- and I would go up in the editorial rooms and watch the sports editor take the game on the typewriter from the field, play by play. I was always a baseball nut.

Henry White, who was the editor of the Star, one day in April, 1912, said to me, "Walter, you're here all the time, and I need a reporter. You come down tomorrow, and I'll hire you." The last thing in the world I ever wanted to be was a newspaper reporter. I wanted to be a doctor. I was always very fond of medicine. I still read everything I can about doctors and medicine.

Jones: In fact, the doctor who delivered me -- Dr. Wallace Briggs (I was born during the McKinley campaign, where "Silver: sixteen to one" was the slogan, and he called me a "sound money baby.") -- wanted to adopt me, but my mother wouldn't let him.

Anyway, I went down the next day and the first assignment I had was to cover the police beat. The only thing I knew about the police department was the policeman. I didn't even know where the police station was located.

I worked for the Sacramento Star until 1916 when the police reporter for the Sacramento Bee moved to the Marysville Appeal and was managing editor. One day he called me up and says, "I need a city editor. Will you come up?" And he offered me twenty-five dollars a week. I was getting fifteen. I had been hired for five dollars a week by the Scripps people; they wouldn't give me much money, but they gave me all kinds of titles. I was everything -- I'd get out the sports edition, I wrote Cynthia Gray, you remember that first lovelorn column? God help the advice I was giving them! But, anyway, I went up to Marysville in 1916 and one day I called my wife up. We had been going together for five years. "Honey, come up tomorrow, we'll get married."

We got married then and I left the Appeal because it was a morning paper and I didn't like working in those early morning hours. Didn't get home until two and three o'clock in the morning. Take the AP [wire service] over the telephone, you know. It was during the first world war. It was a hell of a job trying to spell those German names.

So I worked for several months for the Marysville Democrat, an afternoon paper. Then the Scripps people wrote me and asked me to come back and take a job as state capitol correspondent for the Scripps papers. Later I joined the San Francisco Examiner staff as state capitol correspondent. In November, 1919 I joined the editorial staff of the Sacramento Bee.

Hogan: So you never did finish high school?

Jones: Nope.

Hogan: Got too interested in the sports report at the start.

Hogan: Well, that should have been an interest that you had in common with Earl Warren -- baseball.

Jones: Of course, Warren loves to talk sports, and I love to talk sports. He was always interested in the San Francisco Giants and the football Forty-niners. He goes to the ball games in Washington. My wife and I were at a ball game in Washington and we couldn't locate Warren. We looked back, and there, standing up in the last aisle, was Warren. Waved to him, and he came down. There were some seats near us. He had gone all alone out to the game with his chauffeur. Nina, his wife, rarely goes to a baseball or football game with him.

Just once, Stanford was playing Army and Warren said, "Walt, I got some tickets to the Army game. You and Kathy want to go down?" That's the only time I remember Nina going to a northern California football game with him. She may go with him to the Rose Bowl, but she never goes to a football or baseball game in Washington. And we went down there to Stanford. Rain -- I never saw it rain so hard in my life! And we bought some of that Army stuff -- after the war -- plastics. And those things just disintegrated. We got wringing wet. On the way back, we stopped at a restaurant on El Camino Real, at a place where he used to like to eat. He always maintained a change of clothes in a locker there. So he changed his wet clothes. Kathy and I almost froze to death. Wet.

Hogan: You mean he kept the clothes there because he went so frequently to Stanford games?

Jones: No. He just kept them there in case he had to change if he was on the campaign trail and his clothes got full of perspiration -- anything like that. Hiram Johnson did that same thing. When he got through making a speech he was wringing wet.

II EARL WARREN AND PEOPLE

Sports Companions

- Hogan: You mentioned Bart Cavanaugh, Sacramento city manager, being a close friend of Earl Warren's. He and Jack McDermott --
- Jones: Jack McDermott and Phil Wilkins, a Sacramento attorney and now a federal district judge. For years they went to the World Series together. Warren used to get a big kick out of Cavanaugh and McDermott, principally because they would furnish a lot of laughs. McDermott is a very positive-minded Irishman. No matter what anybody says, he'll dispute them. The Chief Justice would say something profound and McDermott would challenge him and bet him five dollars or so that he was wrong. And Cavanaugh, too, has a very fine sense of humor, and Warren got a tremendous kick out of him. As a local attorney Wilkins managed some of Warren's Sacramento County campaigns, maybe all of them.
- Hogan: These were all friends that he made after he became governor?
- Jones: Oh, yes. I just don't know how he got acquainted with McDermott. He got acquainted with Bart Cavanaugh because Cavanaugh, before he became city manager, was a lobbyist for the Calaveras Cement Company. And that was his first contact with Warren -- for years he was a legislative representative of the Calaveras Cement Company.

Wilkins is a Republican and has always been interested in politics. Warren was looking out for an enterprising young Sacramento man to manage his campaigns

Jones: and picked Wilkins, or Wilkins offered his services -- I don't know how it came about. But, anyway, they would go to these ball games together. I mention them because you asked me if Warren was very confidential with people. Now, he used to go and spend four or five days with these people every fall before and during the World Series, whether it was in Los Angeles or New York or Philadelphia or Boston -- wherever it might be. But, to my knowledge, he never revealed any confidential information to them. In fact, he never talked politics to them. He rarely talked politics with anyone except me.

In my experience, Warren had very few close, intimate friends, and even with those who were intimate, like Dr. Junius Harris who operated on Warren once and Dr. Nathan Hale. "June" is dead. They were very close personal friends, but he never revealed any state secrets to them, or never discussed political problems.

Fry: Was Junius Harris the physician who operated on Governor Warren in 1953?

Jones: Yes.

Fry: Was this for cancer as some doctors in the California Medical Association claimed?

Jones: Dr. Harris told me confidentially it was. Dr. Hale told me it was not. Warren has insisted it was not.

Hogan: All of his friendships seem to have been compartmentalized.

Jones: Yes. They were unattached. They had nothing to do with his political life, except that these people during a campaign would endorse Warren or probably contribute to his campaign.

He has a close friend in San Francisco -- Wallace Lynn; Warren goes duck hunting with him. But I doubt very much that he talked politics to Wally Lynn, and he was close to him. Thomas Mellon of San Francisco, the administrative officer, was a very strong Warren man.

Warren had a lot of people who were personal friends, but they were just his friends in a social way. Wally Lynn was a great friend and is a hunter. Mellon in other ways.

Office Staff

Jones: Even his own staff -- I guess a fellow like Bill Sweigert, his main secretary, was close to Warren. He probably advised with him more than any of his other secretaries.

Hogan: I think Jim Oakley followed Sweigert.

Jones: Well, I don't think Warren was very confidential with Oakley except for the routine of the office, but I'm sure he didn't ask him advice.

Warren was pretty much -- and I think Pete Phillips, McClatchy newspaper political editor for many years, would verify this -- was pretty much of a lone wolf. He got ideas from people and if they were good, he pursued them. If they weren't he dropped them. If he had an idea, he didn't go around and ask people, "What do you think of this idea?" "What do you think of that idea?" as Pat Brown would do. Pat would go around to a lot of people. He'd get so many opinions that he'd get confused, you see. Warren wasn't like that. If Warren thought something was good, he would follow it.

I know he had a great deal of respect always and admiration for Warren Olney. He thought he did a terrific job as head of the state crime commission -- one of the things Warren was very proud of during his administration.

Hogan: But you say Warren used to come to you.

Jones: Yes, he used to come over and talk to me about things.

Hogan: Was it in any particular field?

Jones: No, all fields. He'd come over and talk to me, for instance, about a judgeship open over in San Clemente. As I say, he'd ask me to get memos from the managing editors in Fresno and Modesto about people that were applying for jobs or recommended for judgeships or any other state office. Of course it was confidential, and he figured that he could get the right dope from us.

Jones: He had a great deal of respect for the editorial integrity of the McClatchy newspapers, although when he first came to Sacramento, he was not nearly as liberal as after he read some of our editorials. I always said to him that we indoctrinated him. We didn't support him when he first ran for governor; we didn't support Olson either.

Hogan: When he was running against Olson, whom did you support?

Jones: Nobody. Matter of fact, Earl Warren came to me and told me that he was going to run for governor and asked me what I thought. I said that, "Well, you know in this state, running against an incumbent is a very tough proposition, because the people of California seem to be prone to support incumbents." And they have, over the years. Look at the Jordan family. Went from father to son, with one lapse in between.

Hogan: I always thought that the Jordan family was the exception to everything.

Jones: Oh, yes. They didn't elect them because of their ability. They elected them because of their friendship. Old Frank Jordan, he was a consummate politician. He was a wonderful guy. Everybody liked Frank and he liked everyone else.

For instance, he'd go into a bar up in the Mother Lode and order drinks on the house and then hand the fellow his card, and say, "I owe the Hills Acre Bar a hundred dollars for drinks, [signed] Frank Jordan." IOUs. He had them all over -- never did pay them, although he intended to. He was always buying mining stock and he said that when he hit it rich in mining he was going to take me along as a secretary on a big yacht and we would go around the world.

Tom Fox. He was a politician here in Sacramento, a Democratic politician in the days when -- well, he was the boss of Sacramento, and he was the postmaster. One of the last things Tom told me, "Well, I gave Frank Jordan a hundred dollar loan today, Walt, and I just wrote it off."

Every month on the day when Jordan's state check would be received from the controller, a man from one of the banks would be there to pick up the check. He'd

Jones: just sign it over -- but he'd always figure that one of his mines was going to pay out. Jordan wasn't a dishonest man, but he never caught up with his debts. He always promised everybody he would pay, and he intended to. But he was one of those kind of guys who had no sense of values where money was concerned.

Interest in Average Man

Jones: Another thing about Earl Warren: many people say he was just like a lot of politicians. But he wasn't like a lot of politicians. Warren had, and still has, a very sincere affection for people in all walks of life. When he was governor he would walk from the mansion over to the capitol and at 14th and J Street there was an old colored shoe shine. And every morning he would stop there and have his shoes shined, because he loved to hear the stories this fellow would tell him, and tell him about politics, and how well Warren was doing, and so forth and so on.

There is a shoemaker here in Sacramento, Randy Butler, who repaired all of Warren's shoes during World War II. Warren told me the last time he was here that he phoned Randy to see how he was coming along. He'd take care of all the kids' shoes, and in those days, you know, you had to get ration stamps to buy shoes. Mrs. Warren said that it was easier to take them down to Mr. Butler and have them repaired than trying to get shoe stamps. Wherever she's gone -- and she's traveled hundreds of thousands of miles -- she picks up these little demitasse spoons for Mrs. Butler, because of what Mr. Butler did when her kids were little and needed shoes. Warren has a great affection for him, and Butler, of course, thinks Warren rates higher than Christ.

When he comes to Sacramento -- the fifteen, sixteen years he's been in Washington -- he'd go over to the capitol and say "hello" to the policemen and the elevator operators and the different women in the different offices that he knew when governor.

Warren just has a tremendous affection for people. He loves people and he loves children, and there's

Jones: not -- I don't think -- an insincere bone in the man's body. I never met anyone quite like him, and I've met all the California governors since Hiram Johnson. Pat Brown is an outgoing and lovable character but he is a different type than Warren. Pat is a little of the politician type, and you get the idea he is motivated by politics -- although I don't think he is -- but Warren, you never (at least I never did) get the idea he was doing something for political purposes.

Family Life

Of course, a lot of the things he did, people didn't know anything about, but he was a tremendously warm-hearted person and he was just crazy about his children.

Mrs. Warren is the same type, you know, not a party-goer when she was in Sacramento. It was very rare that she would go to the affairs that women arranged, whereas Mrs. Goody Knight, she just loved to attend them.

Hogan: Did the Warrens ever entertain -- you know, family-type parties?

Jones: No, I never heard of them having a family-type party. The only parties they ever had was when the children were going to school. Virginia, for instance, she'd bring some of the kids home from school in the afternoon, or they'd return to the executive mansion after a dance and Mrs. Warren would give them doughnuts and hot chocolate. But the only entertaining I can recall that they ever did at the mansion was entertaining members of the legislature every session. Every governor followed that policy.

Once in a while, my wife and I have been over at the mansion for dinner and Warren would have someone like the attorney general or some people in his administration. But they were always small affairs. A lot of times, they weren't people in politics. There were fellows like Wally Lynn from San Francisco. He had always been tremendously fond of Wally Lynn. He would be able to give you some good sidelights, anecdotes.

Jones: Of course, as I said, Warren was tremendously sports-minded. Fishing and hunting, he loved baseball and football. I don't think he's missed the World Series game in years. He loves football. I don't think he missed any of the Shriner games in San Francisco. He goes to the Rose Bowl and always loves to witness the Rose Bowl Parade. Just this summer he went to Alaska, and he told me just the other day that they were up there for a couple of weeks and there were only a couple of days that it didn't rain. That didn't stop him; he went fishing for salmon in a slicker hat and raincoat and hip boots. Went every day, he said. Some days it was pretty cold.

III OBSERVATIONS ON WARREN'S CAREER

Early Years

- Hogan: I'd like to get on record, Mr. Jones, what you told me earlier about when you met Warren. It was when he had just gotten out of the service in 1919.
- Jones: Oh, yes. I first met Earl Warren in 1919 -- the early part of 1919 when he became a clerk in the Assembly Judiciary Committee. He told me only recently that when he got out of the army he didn't have any money at all, practically. At least he didn't have enough to buy a suit of civilian clothes, so he showed up for his duties at the judiciary committee in his army uniform, and it wasn't until he got his first paycheck that he could buy any civilian clothes.
- Hogan: You were then the political reporter for the Bee?
- Jones: No, I was then working for the San Francisco Examiner as capitol correspondent. In 1918, I had become the capitol correspondent for the San Francisco and Los Angeles Examiners. Then I joined the Sacramento Bee's staff as capitol reporter in November, 1919. And, of course, Warren was then in public life -- he went from the job there in the legislature down to Oakland to practice law and became district attorney and then attorney general. I didn't see much of him when he was district attorney, except when he came up to the legislature and appeared before committees on crime legislation.
- Hogan: Apparently he did a lot of lobbying; making some effort to get law enforcement bills through that he felt --
- Jones: Oh, yes -- yes.

Hogan: Did you see him very frequently, then?

Jones: I'd see him whenever he came up. I can't remember now how frequently it was, but he would be here especially for legislation that the district attorneys were interested in advocating.

Outside of that he made no appearances in Sacramento. He wasn't very well known in Sacramento until he ran for attorney general. Then he was around the capitol more. Of course, even though the headquarters of the attorney general was in San Francisco, Warren would make numerous visits to Sacramento. When he'd come to town he'd always call up.

Influence of the McClatchy Papers

Jones: As I was saying, when Warren first became governor, we regarded him as conservative. After he read the liberal editorials in the Sacramento Bee, he changed his point of view. Whether we influenced Warren or whether what he experienced as governor changed his attitude, I don't know. But I know, even when he was in Washington, he often pulled out of his pocket when he was talking with people, editorials from the Sacramento Bee and read particular editorials -- not having to do with politics, but social legislation and things.

One that I remember -- he kept a copy of an editorial that the Bee published about the big steamship companies thinking it was all right to have the government subsidize them for millions and millions of dollars, but when legislation was considered in Congress to do something about the down-and-outer, those special interest people were always there to spike the legislation. Warren kept this editorial and I guess it wore out showing it to people. He was always referring to it, against the idea that it was all right for the government to support big wealthy steamship lines but to help John Doe and his pals was a waste of money and abhorrent.

Hogan: Supposing the Bee had been more conservative. Do you think it would have had the same effect?

Jones: I don't know. But I think that it would have had a considerable effect on him, because Warren knew C. K.

Jones: McClatchy and he knew me intimately and he knows Eleanor McClatchy intimately. I'm not saying this as bragging, but he knew the reputation of our newspapers and what they stood for in integrity and that C. K. McClatchy was regarded as one of the outstanding editors: independent, progressive and absolutely fearless.

When John Quinn ran for governor of California, a delegation visited C. K., and I was in his office at the time -- I was writing politics -- and they told him that he was just wasting space in the newspaper by endorsing Quinn, that Quinn didn't have a chance. C. K. was the type of man who said, "The Sacramento Bee is supporting John Quinn because it thinks he is the best man for the job. He is the right man for the governorship at this particular time, and the things that he stands for the Sacramento Bee espouses. And if John Quinn only gets one vote, that's mine; we'll continue to support him all out."

He never asked, "Can a candidate win?" He always asked, "What are his policies, what are his principles, what is his character? What does he stand for? Has he got courage?"

When Hiram Johnson ran for governor the first time, C. K. didn't support him. He supported Theodore Bell; in fact, C. K. and Johnson were on the outs with each other. After the primary, C. K. was intrigued by Hiram's campaign speeches, particularly his campaign to throw the SP out of politics. In his Private Thinks and in his editorials, C. K. had always inveighed against the power of the Southern Pacific in the state legislature. In the general election, C. K. supported Johnson and he supported him through all of his campaigns afterward.

They were very close -- one of the last pictures taken of Hiram and C. K. was in the garden of the latter's home. They fought together against the League of Nations; Johnson, Borah and Lodge and C. K. C. K. was so strongly opposed to the League of Nations that he even supported President Warren Harding in 1920, holding his nose the while. That was how strongly he felt. Of course he didn't know Harding was going to turn out to be the rascal that he was; he was lacking in ability.

Hogan: Warren's close relationships with newspaper people are interesting. Does it go back to the fact that he delivered newspapers as a boy?

Jones: Well, what I started to tell you about here, was when Warren first ran, the Sacramento Bee and the McClatchy papers didn't support him. They didn't support Olson either. One reason that we didn't support Warren was because we had George Dean, who was our San Francisco correspondent at the time, ask Warren how he stood on the Central Valley Project. We regarded his answer as weasel-words; you could take it either for or against. We had an editorial saying that it wasn't a forthright facing of the issue, and therefore we decided that we wouldn't support him, even though he had a lot of admirable qualities.

On Becoming Governor

Jones: We didn't support Olson either, but then, when Warren came to Sacramento as governor it wasn't long before he became one of the most enthusiastic factors in this Central Valley Projects and all the state water projects. He got a reputation both as governor and on the U. S. Supreme Court in favor of conservation projects, so he turned into probably one of the most ardent advocates of water conservation, flood control, and reclamation that California ever had.

Hogan: Probably hadn't heard much about the Central Valley Project.

Jones: Probably hadn't. No. I don't think when Warren ran for governor he had a wide knowledge of state affairs. He was down in Oakland and he was a very devoted district attorney. I was reading the other day something a man writing in the New York Times Magazine said, that when Warren started out in life, he was a severe, stern prosecutor and that there was kind of a change-over as justice of the Supreme Court, that he was accused by a lot of people of turning hand-springs rather than favoring the police and prosecution of criminals, that he handed down decisions that made it difficult to obtain convictions.

Of course, what Warren argued is, that when he was a district attorney in Alameda County, his duty was to prosecute whom he thought were guilty, and he went all out to prosecute them, although to my knowledge, he never used any dictaphones or tapped any wires in

Jones: getting his evidence. And then, when he got on the Supreme Court, he had to interpret the letter of the Constitution and the Bill of Rights. So, having the humanitarian principles that were innate in the man, they came to fruition when he sat there on the Supreme Court. He used the tremendous wealth of information gained first hand, not only in fighting crime but in the rehabilitation of criminals.

He did a lot here -- you could get that from Richard McGee; he brought McGee from the East to head up the State Department of Corrections. Warren had the whole United States combed with a fine tooth comb to get whom he regarded as the finest man for the job and they all took examinations. Warren picked McGee. McGee made a lot of prison reforms with Warren's approval, and of course the Warren Crime Commission was a tremendous contribution to fighting crime in California.

Hogan: Wasn't that primarily a matter of trying to get around Fred Howser, who was then attorney general and was apparently not so effective?

Jones: Well, I can't remember now what brought it on, but Warren felt very strongly that crime was rampant, and some of the racketeers had started to move in here, you know, mostly down in Los Angeles. Gangland murders resulted. Bugsy Siegel -- I don't think they ever have solved his murder.

Hogan: At this time, then, when Warren was governor, you were the editor of the Bee, and [Herbert L.] "Pete" Phillips had come from the San Francisco Examiner as political editor.

Jones: I can't remember just when Pete came in, but in 1932 they made me news editor, then made me managing editor and then made me editorial director of the McClatchy newspapers and then I became, when C. K. died, in April 1936 editor of the three papers.

Phillips had an intimate relationship with the Warren administration and wrote the stories for the three Bees during his term. The fights with the legislature and so forth, and so on. I think Phillips is very valuable.*

*Big Wayward Girl, Herbert L. Phillips, New York, 1968. See also his oral history interview transcript, The Bancroft Library [now in process].

Appointments to the Bench

Hogan: When you were checking the judicial appointments for Warren at his request, did you check with papers in other areas?

Jones: Well, we have the Modesto Bee and the Fresno Bee. The Fresno Bee circulates in about seven counties in the San Joaquin Valley and the Modesto is about five counties. In Sacramento, the Sacramento Bee circulates in twenty-one counties. (We call it "Superior California.") There are a tremendous number of judgeships in those areas -- superior judgeships, principally. Warren conferred with me about the appointment of judges on the Third District Court of Appeal here in Sacramento, in fact. I don't think anyone I ever recommended was ever turned down by him. There hasn't been a one who hasn't proved to be a fine judge.

Hogan: Did it ever reverse itself? That is, did he ever ask you about somebody that you did not recommend?

Jones: Oh, he'd ask me about a lot of people. Yes. Some of those that were high on the list didn't get the job, people whom we didn't think merited appointment.

Hogan: But you would tell him this.

Jones: Oh, I'd tell him off the record, yes.

Hogan: Did any of these get appointed anyway?

Jones: Not to my knowledge. I don't think Warren ever made a judicial appointment that the McClatchy papers disagreed with. I can't think of a one.

He had a tremendous record in appointing judges. He appointed very fine judges, and he didn't do it on the basis of politics. I never heard him ask, when he appointed a judge, "Is he a Democrat or a Republican?" And I think he asked me about more judicial appointments than anyone else in the state of California.

Hogan: Even more than Pat Brown?

Jones: Oh, that was before Pat Brown. He didn't know Pat until after Pat became governor and it was only after Pat's first term that they really became very friendly.

Hogan: No, I was referring to what you said -- that Pat Brown asked so many people their opinions that he finally ended up with nothing.

Other Governors and Political Figures

Jones: Well, Pat Brown, when he was attorney general, came in and talked to me and said he was thinking about running for governor and could he get the support of the McClatchy newspapers, and I said, "No." He said, "Why?" I said, "In the first place, you talk too much." That turned out to be his undoing.

He'd have press conferences, and no matter what a reporter asked him -- whether it was germane or had anything to do with the governorship or state business -- he would try to answer it. He's a thoroughly honest man, Pat Brown is, and he made a splendid governor and the people of California certainly were not appreciative when they turned him out. He'll go down in history as one of the finest governors we've ever had.

Hogan: Do you think this is true of Warren, too?

Jones: Oh, yes. I think that it's a toss-up between Hiram Johnson and Warren. Hiram Johnson's administration was more spectacular because he threw the SP out of politics, and he put in all these new laws and constitutional amendments, including the initiative, referendum and recall. For instance, he reformed the railroad commission and the banking department. He set up the insurance department, and the industrial accident, workmen's compensation insurance. Practically all of those were in Johnson's first or second term. Most of them in his first term, as I remember. And those things were regarded as radical at times. He had a sympathetic legislature with him and he put them across.

Warren didn't enter into the scene in any such manner. All he had to overcome was what he thought were the mistakes of the Olson administration. He had nothing personally against Olson. As a matter of fact, he expressed to me, when we were talking about it at the last visit I had with him, that he thought Olson was very honest and a fine man and he meant well and had some splendid ideas, but that he was poorly advised.

Jones: That was Olson's downfall -- poor advice. The men around him were selfish. One man -- and the best man -- he had in his administration was Phil Gibson, whom he named to the supreme court. He made an ideal chief justice and was a man whom Warren admired.

Hogan: I gathered from a biography of Warren that he had not gotten along with Olson, and in fact that is why he decided to run for governor.

Jones: Well, they didn't get along on certain issues, but there was never any personal animus registered. No, the legislature fought with Olson, and Warren just was ambitious politically. He was in upper drive to reach the top. And he damn near got in the White House, but, so far as protocol is concerned, he reached the second highest position; that's Chief Justice of the United States.

In his talks with me he never said anything against Olson. He just thought the public preferred a change and he was going to offer himself as the vehicle of change. There wasn't anything particular that Olson did to arouse the public. It was principally the legislature that fought with him, and his own party -- there was division among the Democrats. I don't remember just what those particular things were but Pete Phillips could tell you. He would remember because he covered Olson's administration, and I didn't. I just knew Olson from meeting him publicly and knowing what he advocated and what he tried to do, and how that was an utter failure because he didn't have a sympathetic legislature.

Hogan: Do you think that Warren did, for the most part?

Jones: Warren? I think he did. Yes. But he didn't have a sympathetic legislature when he was trying to put over the public health insurance program. As I said, I think Warren and Hiram Johnson were the two outstanding governors in California.

Hogan: But Warren didn't really face the problems that Johnson did.

Jones: No, that's what I said. Hiram came at the period when this state was corrupt. Frank Jordan told me he got a start up here as a messenger boy in the legislature and he used to go over to the Golden Eagle Hotel at 7th and K Streets and meet with Herrin who was the Southern Pacific political boss. He'd give Jordan a sack of silver dollars and he'd take them over and as the legislators

Jones: were leaving he'd hand out a dollar to them.

Hogan: That was William Herrin?

Jones: Yes. He was the SP lobbyist. They called him the political boss.

Jordan came here from San Francisco and he was always around politicians and so forth. That was his beginning, as a messenger in the legislature. That's where he got his start.

I told Frank that he should have written his memoirs, and he was doing it when he died. He was a marvelous story teller and he knew all these people and they had faith in him and he never betrayed any of them. He knew who was paying off and where all the bodies were buried. He had two sons, and he had a man named Charles J. Hagerty who was one of his chief deputies. He brought Hagerty up from San Francisco and he thought more, I think, of Charley Hagerty than he did either of his sons Frank M. or Robert. I think, not to be bragging, that he liked me and thought about me and consulted more with me than with his two sons.

As a matter of fact, with one of his sons, Robert, he never consulted at all. They fought like wild cats, and Frank M. never was around the place. He was a kind of ne'er-do-well. He was always getting in business and going bankrupt. Frank set him up in a punctureless tire company in San Jose; of course it went bottoms up. Frank, Jr. had never been in politics, and he decided he would take a chance and run for secretary of state on the Frank Jordan name. He won because a lot of people thought that they were voting for the original Jordan.

IV POLITICAL RELATIONSHIPS AND ISSUES

National Campaigns

Hogan: I wanted to ask you about Warren's campaigns for national office. What do you think happened when he campaigned at various times to get the nomination for the presidency? Why did it not come off?

Jones: I've always thought and I think Warren thinks -- although he hasn't said so to me by his own word of mouth -- that he was double-crossed by Richard Nixon. On the train, Nixon was going through the cars lobbying for Eisenhower. He didn't go into Chicago. He got off the train at the last station -- I think they call it Cicero? He got in an automobile and beat the delegation to Chicago.

Now, he had some purpose in doing that. I think Warren thinks Nixon undermined him with his own delegation, although the delegation stood pretty fast for Warren. As a matter of fact, they were all pledged in an affidavit that they would support Warren until he released them. That included Nixon, although Nixon, from the moment he got on that train, from the information I have from various people who were on that train, campaigned for Eisenhower.

I think if there had been an impasse in the convention between Eisenhower and Taft, the convention might have switched to Warren.

Hogan: Actually, I was thinking about the earlier campaigns; I'm not sure that anybody could have beaten Eisenhower. What about 1948?

Jones: In 1948 he just went back as a favorite son. While I wouldn't say he wasn't anxious to get the nomination, there wasn't the will to win that was exhibited in the 1952 campaign. Warren thought that if he got back there in 1948, lightning might strike. But it didn't. It ended up, you know, by him being the vice-presidential nominee of the GOP.

During the vice-presidential campaign, Warren was a very, very unhappy man. He didn't get along with Dewey. He did on the surface, but the things Warren wanted to say, the national committee wouldn't let him say. I remember he called me once from someplace in Minnesota, some little out-of-the-way place. He called me at home.

He said, "Walt, this is Earl." I said, "Where are you!" "A little town up here in Minnesota. It's so Goddamn cold that it would freeze a brass monkey." I said, "Well, what's bothering you?" He said, "Oh, I just wanted to talk to you. I'm so low in this campaign. I can't say what I want to say. I just wanted to tell it to someone and you're the only one I can tell it to."

He didn't have any outlets in the campaign. I think he used me as an outlet. He was troubled inwardly. Even in the spring quarter, when he was governor, he would come over and talk to me and bare his soul and we'd talk. And I'd say, "Well, this is what I'd do if I were in your place. I'd make this kind of offense or set up this kind of a defense"

Hogan: His political timing was so good in California that I wonder what happened about the national campaigns.

Nonpartisanship and Independence

Jones: Well, Warren is a consummate politician. He always had the ability to know the public thinking, although he didn't endorse issues because he thought they were popular. Because he supported one of the most unpopular issues in California in this twentieth century, advocating public health insurance. He didn't espouse issues because he thought they were popular. But, he had the ability to sense issues and he created issues, favorable issues, that brought favorable reaction from the people.

Jones: When he ran, he got overwhelming support from both Democratic and Republican parties. And while he was in office, the state had crossfiling, and in some campaigns Warren got more enthusiastic support from the Democrats than he did from the Republicans.

Warren was never what you would call a "good party man," like Pat Brown. Pat Brown did away with crossfiling because he thought it was undermining the Democratic party.

Now, Warren was nonpartisan in all his approaches to issues. As I said, when appointing a judge, he didn't give a damn what he was. He might be a socialist for all he cared. I've asked him what were the politics of the men he appointed. He said, "I haven't any idea, Walt."

He never went out and followed the lead of the Republican State Central Committee. They had very little part in Warren's campaigns. He was his own boss, and that's why a lot of those bigwigs of the Republican party opposed him: because he wasn't a good party man, and they couldn't control him. He wouldn't go to the party conventions and make big speeches and pat himself on the back and tell them, "The Republican party is the greatest party founded by Lincoln" and all that hooey, you know.

He dealt with the people on the lower echelons, people that he knew were sincere and he could trust and that would work for him and organize for him in campaigns. His campaigns were well run. He rarely got into difficulties.

Once, in one of his campaigns, he had Clem Whitaker doing his publicity. Whitaker issued a statement, something on pensions, and he wrote it without consulting Warren, and it met with a very bad response. It got some bad publicity -- bad editorial reaction -- and no sooner did Warren hear about it than he repudiated the statement and dismissed Whitaker as his campaign publicity manager. At least Whitaker had no more to do with the campaign. He may have had a contract which Warren had to pay him, but that ended their relationship. From then on it was very cool.

Whitaker carried on the campaign against the health insurance legislation and even was hired by the American Medical Association to carry on the campaign against

Jones: national medical health insurance.

Hogan: Then, so far as you know, Warren didn't use a campaign organization after that -- that is, a paid public relations outfit?

Jones: I can't remember. Whitaker is the only one I can remember that he paid. He may have had someone down in Southern California. But I think he used more of his own people like Verne Scoggins. He handled Warren's campaign.

Hogan: It's been suggested that this may be one of the reasons he didn't do so well in the national campaigns.

Jones: There's no question about it. The national party bosses never did like Warren. They didn't like him in California; they didn't like him in Washington. By the same token, they never liked Hiram Johnson.

Hogan: Just not a party organizationalist.

Jones: No, they fought him. Even as governor, they fought Hiram Johnson every time he ran for Senator on the ground he failed to endorse Charles E. Hughes, the GOP presidential nominee, then they tried to use his defeat -- as a matter of fact, I heard Hiram Johnson, several times, in a couple of speeches that I covered, urging the Republicans to vote for Hughes. Hughes lost California by taking the advice of those anti-Johnson people rather than following the advice of Hiram Johnson and his friends. On that thing, I could read something if you'd like, because a lot of people don't know the real facts about this episode. C. K. McClatchy, who was in the campaign, had a "Private Think" on that very issue in reply to somebody who said the reason Hughes was defeated in California was William F. Herrin, chief counsel for Southern Pacific Company.

Hogan: Hughes wasn't beaten by much in California.

Jones: No, Hughes went to bed thinking he'd won California. C. K. was a supporter of Senator Robert LaFollette when he had to run as a Socialist in California. They kept him off the ballot.

From Conservatism to Liberalism

- Hogan: According to my research, Warren at that time supported Collidge.
- Jones: Yes. Warren was chairman of the Republican State Central Committee and he headed the Hoover campaign in California also. That's why I say, when he first came to Sacramento, his leanings were on the conservative side. You can't say a man could support Hoover and not be conservatively inclined.
- Hogan: Even on things like the medical insurance program Warren advocated -- I've heard it said by people who were then in the legislative counsels' office that he was offered several ideas for amendments to it that would have made it more palatable to the opposition, and that he refused to accept them. Whether this is a matter of Scandinavian stubbornness --
- Jones: Warren -- there was no question about it, he was stubborn. That's one thing Pete Phillips will tell you, that he was quite stubborn. He was a lone wolf. Nobody had a collar on his neck. He was his own boss.
- Hogan: But that would also lead to the defeat of certain things he wanted, if he wasn't willing to compromise.
- Jones: Oh, yes. Well, he wasn't much of a compromiser, I'll say that.
- Hogan: Do you think that it is possible that the medical insurance program could have passed if he had accepted compromises?
- Jones: Oh, no. The doctors didn't want to compromise. They were just against it. The plan Warren proposed was not nearly as extensive as the one we have in force now. It was comparatively mild. It was just the beginning of it.

Warren pointed out that something should be done for catastrophic illnesses, you know, A man would save ten or fifteen thousand dollars and he'd get an illness and not only all of his savings would go, but he was in debt for twenty years beyond. He proposed legislation be adopted to alleviate these economic catastrophes that happen in too many families.

Dr. Nathan Hale could give you more on that subject, because he was connected with it and he was right in the thick of the fight. They were shooting from behind his

Jones: back. He was dodging the bullets; they were gunning at Warren.

Hogan: Had Dr. Nathan Hale been the president of the CMA?

Jones: He was the president of the California Medical Association at the time, as I remember it. Warren never gave up advocating health insurance. Warren did a lot of travelling and he saw the condition of a lot of people. Saw things first hand. He wasn't much of a guy to go on reports. He didn't appoint many commissions. He took care of things himself, and he would travel by airplane.

I asked him one time, "My God, aren't you afraid in an airplane?" He said, "I get in an airplane, and in five minutes I'm sound asleep." He had a lot of narrow escapes. He's flown hundreds of thousands of miles. He just went over to Bangkok, you know. I got a post card from him, he was down in Beirut. Mrs. Warren wanted to do some shopping. [Laughter]

Hogan: Your talking about his traveling around to learn about these things reminds me of a remark of Robert Kenny's. He said Warren didn't read very much; he learned by osmosis.

Jones: No, I don't think he was a great reader.

Hogan: Well, how did he manage to pick the right people, like McGee?

Jones: Well, he was just a good judge of humanity, and he's so thoroughly honest. He's got a high degree of integrity. I don't think there's ever been a man in public life in the United States that has more integrity than Earl Warren. He's much like C. K. McClatchy, I think. If he were on the Supreme Court and it came down to only his vote, he would vote his conscience. Of course, he's made mistakes. There's no one in public life who hasn't made mistakes.

Hogan: What sort of things do you think of, particularly?

Jones: Oh, I can't think of anything, particularly. Maybe some piece of legislation. I think one of his last decisions on the Supreme Court we disagreed with. We agreed with the majority, and he was in the minority.

Hogan: He seems to have conceded to one mistake, himself, on this "one man, one vote" decision. This was something he opposed here in California in the reorganization of the state senate, then voted for it on the Supreme Court.

Jones: Well, I asked him about that. We had editorials. He campaigned on that, you know. He made public statements in favor of keeping the senate the way they had it set up.

Hogan: Geographical representation.

Jones: Yes. Where the country districts ruled in the senate, and the cities in the assembly. And he said he thoroughly believed in this at the time. But, when he got to the Supreme Court, and these cases kept appearing, where in some of these places, ten votes were greater than one hundred thousand -- some of those districts in the Deep South, and some in the Midwest -- and it was mostly the rural districts would dominate. He got thinking it over, and he said, "Lord, if you read the Constitution, this doesn't set well with me at all." He just reversed his position. Even though the cities rule, you couldn't gerrymander the voting in states so any particular geographical group or whatever group could sway elections. So, he changed his mind. He did so on the basis of maintaining integrity and doing what he honestly believed to be right under the Constitution. Of course, a lot of times, it takes more guts to change your mind than it does to advocate something originally.

Hogan: Some people have said it's been sort of a larger perspective he's gotten each time --

Jones: Here's something I picked out the other day, and I put it under my glass here. It's a quotation from Jonathan Swift, "A man should never be ashamed to admit that he is in the wrong, which is but saying in other words that he is wiser today than he was yesterday." I think that applies to Warren, so far as legislative reapportionment is concerned.

He was wiser on the day that he wrote the opinion than he was when he was governor of California. And he saw the situation in California where the big cities like San Francisco and Los Angeles -- particularly Los Angeles -- were growing. He feared what would happen in the

Jones: legislature when Los Angeles became dominant. He went into that thing believing that it was right. As I say, when he got back to Washington, he heard the arguments and while he still thought it would be bad for California, he couldn't continue to support the reapportionment policies in California and let these terrible conditions exist in the Deep South, where they're virtually disfranchised. That's what it amounted to.

Date of Interview: August 25, 1970

Private Conversations

- Fry: In your first interview, with Mrs. Hogan, I was intrigued with what you had to say about the 1942 race for governor. I'd like to get a little bit more on that, and also something on the Bee's relationship with Earl Warren before that when he ran for attorney general. Do you remember whether the Bee backed him, or backed anyone, in that attorney general's race in 1938?
- Jones: Well, I think we supported Warren in '38. I can't remember. Who'd he run against, do you remember?
- Fry: The leading Democratic candidates were William Moseley Jones, Carl Kegley, and the man who was supported by the old EPICs, Pat Cooney. But, I was really interested in how Warren lined up politically in those years, from the viewpoint of an astute observer.
- Jones: In those years he was more or less in the conservative field. He supported Hoover for President, and I think he led the Hoover delegation to the Republican convention.
- Fry: Right.
- Jones: His liberal attitudes didn't show until after he was elected governor and he came to Sacramento. Maybe it was reading the editorials or the Sacramento Bee that changed his mind, but from that moment on he became a very devout reader of the Sacramento Bee and its editorials, even after he'd gone back to Washington to become a member of the Supreme Court.
- Fry: It was Earl, Jr. (or Helen MacGregor or Pop Small or someone) who told me that it might not have been just the Bee's editorials. They said that you and Earl Warren were quite close and conferred regularly all the time he was governor, once a week or so. Is that true?
- Jones: Well, I talked to him a whole lot and I'd go to lunch with him. He'd always been very free in talking to me. I think I knew things long before his secretaries knew them. He knew he could say anything he liked to me and

Jones: it wouldn't be repeated unless he was talking for attribution. The same was true after he went to the Supreme Court. He came out a couple of times a year and we'd always go to lunch and spend two or three hours just talking over a lot of things and a lot of his problems. It was sort of a safety valve. He didn't dare, he told me, talk in Washington. He didn't go to many cocktail parties because if he'd sneeze, why somebody would interpret something into it -- and those columnists back there, you know, they take just a little bit and build it into a horrendous story.

He did get into a fight and took on one of those fellows back there and called him a liar and a "damned liar" --

Fry: You're referring to the one over the Nixon book by Mazo.* Is that right?

Jones: Yes. As I say, he carried these things inwardly, and he couldn't say anything to anyone except his wife. When he got out here, why, he would tell me things that were troubling him and people that were doing things that weren't in accordance with his philosophy of government; who he thought were the good guys and who he thought were the phonies. He never did have a high regard, so far as I know, of Nixon. I can't remember when he supported Nixon. Even when Nixon was running for the Senate. I can't recall Earl Warren ever having said anything nice about Richard Nixon.

Fry: Where did his dislike for Nixon first begin, do you think?

Persuading the Legislature

Jones: Well, their political philosophies clashed. Nixon, even when he ran for Congress, was right-wing, pretty conservative, and as I say, after Warren got to be governor, why almost immediately he began to do things in a liberal and progressive manner in the legislation that he introduced and supported and initiated. Most of it --

*Richard Nixon: A Political and Personal Portrait, Earl Mazo. Harper and Brothers Publishers, New York, 1959.

Jones: practically all of it -- was progressive, humanitarian legislation; legislation along the lines of that initiated and advocated and supported by Hiram Johnson as governor. But in securing the adoption of legislation, Warren and Hiram were quite different. Hiram was a direct actionist -- even threatened legislators with veto of their prize legislation when it came to his desk if they didn't vote in favor of the legislation that he advocated. Warren was more -- oh, he would let them know firmly what he desired, but he wasn't as direct; and certainly I can't recall that he ever threatened anyone to gain support for his legislation. He would finesse more than Hiram did. Hiram, he was rough and tough!

Fry: We picked up quite a few comments like that, that he did try to keep the executive separate from the legislative. I wonder what sort of leadership he did provide for the legislature. What were his techniques?

Jones: Oh, he provided strong leadership! He talked to people and tried to convince them. He didn't browbeat them and he didn't cut off social relationships with legislators if they didn't agree with his program. He handled them in a very adroit manner. He would persuade them more by talking to them, calling them down and talking to them. When they'd visit him -- they were quite free in visiting Warren -- he was always glad to talk to members of the legislature or any members of the state government, for that matter. I never heard anyone say Warren was "high-hatting" them or he was locking the door so they couldn't see him. Like old Frank Jordan, he always had an open-door policy, would see people in government.

He was very convincing in his way of talking to people. He was so sincere and his sincerity just took hold and influenced the person with whom he was talking to Warren's way of thinking.

Fry: Why didn't that work in his medical insurance legislation?

Jones: Well, that legislation was opposed on a lot of phony grounds. They called the program "socialistic" and "socialized medicine" and at that state of history in California the medical profession was very, very strong. Doctors hadn't come under fire at all for their way of thinking; and the doctors, by and large, were very conservative. Their influence with the legislators was surprisingly strong. Warren had a lot of strong support in the legislature, but he didn't have enough to combat the medical lobby.

Fry: The CMA threw all its strength against his bill, and on the other extreme the CIO was fighting his bill because they had one of their own. There were twelve bills that remained as separate bills. I wondered what efforts were made to develop a compromise bill? Do you remember anything about this?

Jones: No, I don't remember. But Warren wasn't much of a compromiser. He didn't compromise on what he thought was principle. He'd rather go down to defeat than compromise on a piece of legislation that he thought involved principles. So I wouldn't think that trying to compromise with Warren would do any good. He never was, to my knowledge, much of a compromiser. Hiram Johnson wasn't either. He didn't compromise.

Fry: His other big fight was with the freeway legislation later on, in 1947. That one he won. I wonder if you remembered anything about that, and how he managed to overcome the very strong lobby of the oil interests and the trucking interests?

Jones: Well, I don't particularly recall that campaign. But I think he just got public sentiment on his side by issuing statements; and he was supported by the press and just developed public sentiment in favor. At that time the oil interests were in a little disrepute, like they are now. [There are] a lot of campaigns against the oil people because they fight pollution control.

Fry: Why were they in disrepute then?

Jones: Well, I don't know. It goes in cycles. Every so-many years bills to levy a severance tax on oil are introduced and the oil companies always have fought it. They have always been with the highway group, of course, There's always been a very strong highway lobby. It may have been that that year they had a legislature that was particularly progressive.

Fry: Well, they called a special session just for this in January; both houses meeting just on this. That is the way he got it off the ground.

Jones: Well, I can't recall specifically on that.

Fry: I'd like to go back to what you said in the beginning about some men that Warren felt were not behaving in the public interest, as government should. I gather

Fry: that is what you meant, in saying that Warren felt that some of these men, like Nixon, were not really --

Jones: Well, I don't recall specifically. They were people in Washington, even members of the Court, you know, Senators and Congressmen --

Associations with the Knowlands and Kuchel

Fry: Did he and Knowland remain close in Washington?

Jones: At first. At first they remained close and then they became very distant. Warren often said to me, he couldn't understand what happened to Senator Knowland -- because he had known him since he was a child, you know. He knew the whole family. He just couldn't understand. The latter part of Knowland's term there, he didn't see the Warrens at all. When he comes to California now for visits, I doubt that he ever calls him up. I don't think they ever see -- unless they might happen to meet in the lobby of a hotel or something. Warren doesn't say anything against him, but he just cannot understand what happened to Bill Knowland.

Of course Bill Knowland became so conservative that he was doing violence to a lot of Warren's political philosophy. The things that Warren was advocating, why, Knowland was against!

It was a very, very strange thing -- what made Knowland turn against Warren. I never asked Knowland; I don't think Warren ever asked him. But I know down deep in his heart -- I think Earl Warren regrets that he ever named him to the United States Senate. He never told me that in so many words, but the things he said, I know that he certainly must have felt that way.

On the other hand, he named Tommy Kuchel state controller and then named him United States Senator, and he is just so proud of Tommy Kuchel. It just broke his heart when he was defeated by Rafferty.

Tommy Kuchel, have you talked to him?

Fry: Yes, just a little while. We have a lot more to ask him.

Jones: Because he's just nutty about Warren, and he used to, when he was in the Senate, often go and consult with Warren on matters of policy, domestic and foreign. A lot of Kuchel's life in the Senate was certainly shaped by Earl Warren. He was also tremendously influenced by Hiram Johnson. He didn't know Hiram Johnson personally, but when he came into the state legislature, you know, from Orange County, Kuchel was quite conservative -- both as an assemblyman and as senator.

Fry: You mean his record was conservative?

Jones: Yes, and his political philosophy. Well, he couldn't come from a more conservative place than Orange County, you know. Even in those days it was conservative. Of course he came here pretty young, but it wasn't until after Earl Warren became governor and he became associated in a personal way with Warren that his political philosophy began to change. Then when he got to Washington he read a lot of Hiram Johnson's speeches, and he was tremendously impressed. Any number of times he told me how he was impressed by Hiram Johnson.

Fry: He told us he had to read the Congressional Record to his dad who had bad eyesight, and that he got to read some of Hiram Johnson's speeches to him then.

Jones: Yes, and it had a tremendous effect on him.

Fry: Someone mentioned to me that Knowland was considered a rather liberal assemblyman. Is that true?

Jones: When he was in the legislature, yes. He voted for bills and proposed legislation that his father as publisher of the Oakland Tribune had opposed editorially. He was so annoyed with young Bill Knowland! He thought he was even a radical. [phone interruption] As I recall it, why, he supported the legislation for the creation of the East Bay Municipal Utility District. Old Joe Knowland was violently opposed to any form of public ownership.

I can't remember, that is so many years ago, but I was covering the legislature then, and I know how he voted for progressive legislation, and how the old man -- I used to kid him about voting contrary to the wishes of the Oakland Tribune. [Laughs] But it didn't faze him at all. He was very independent and courageous. He

Jones: always had had a lot of intestinal fortitude, even when he was a U. S. senator. Even to the point of being stubborn!

Fry: In 1936 Bill Knowland was one of the young Turks of the Republican party. This puts a new light on the fact that J. R. continued to back both his son Bill and Earl Warren. And when people refer to "the Knowlands" backing Warren, there were really two separate kinds of Republicanism, weren't there?

Jones: Yes.

Fry: That's interesting. Maybe you are the one to explain to us what the Economy Bloc was in the legislature, and how did the people who were in this Economy Block line up politically? Someone told me once that Knowland was a member of the Economy Bloc. Is that right?

Jones: I don't recall Knowland being in the Economy Bloc. The Economy Bloc developed during the Richardson administration. I think Knowland was in the legislature after Richardson. I can't remember now. I can't recall Knowland taking any particular part in the Economy Bloc.

Mostly the Economy Bloc were conservative legislators. Richardson was one of the first conservatives to be elected since Gillett was defeated by Hiram Johnson. Gillett was the last of the SP governors. Then Hiram came along, and after Hiram was Stephens and his economy campaign, and he had quite a good following in the legislature. After Stephens was Richardson.

V WARREN'S 1942 CAMPAIGN

Voters Against Olson

Fry: I wondered if that would be significant at all in Earl Warren's '42 campaign? Do you think that it was no longer a part of the picture by then?

Jones: No, I don't think the Economy Bloc played any particular role.

Personally, I think the reason Warren won his first election [was] the people weren't voting for Warren; they were voting against Olson. As a matter of fact, when Earl Warren (he was attorney general) when he came in to see me and sought our support and said he was going to run for governor, I tried to talk him out of it because I didn't think he was well enough known. While Olson had a lot of adverse publicity, and didn't have much newspaper support, nevertheless he was the governor, and the Democrats had a big registration. I didn't think that Warren could beat him; I didn't think he was well enough known, even though he was attorney general.

He said, "Well, I am going to take a shot at it."

Editorial Positions of the McClatchy Papers

Jones: We didn't support Warren because of the statements that he made on the Central Valley Project. We thought he wasn't forceful and was weasel-worded, and we had editorials criticizing his stand on the Central Valley

Jones: Project. We thought he was leaning towards the power companies, the private power companies. Our judgment was influenced by the fact that he had been such a close friend and supporter of Herbert Hoover, who was one of the greatest friends the private utilities have ever had in the White House. You know, as long as he could, he blocked the building of Hoover Dam they call it now; the name was Boulder Dam. He fought Hiram Johnson every inch of the way. In those days we never heard Warren say anything in favor of the Central Valley Project or in any way boost it. As I say, when during the campaign, I think it was our George Dean who asked him for a statement in San Francisco, we regarded it as very weak and weasel-worded.

We were just fearful that if he became governor, he would be playing the game of the private utilities. Public versus private power was very pronounced at that particular time. In our papers we were always concerned for public ownership, particularly of water and power. When James McClatchy founded the paper in 1857, he always asserted that the water was owned by the people and the people ought to be the ones to say what disposition is made of it. His son, C. K., followed his dad's policies. In a codicil to his will he said that policies may change, but one that shall never change is public ownership.

Fry: Oh, he put this in his will for the newspaper?

Jones: [Reading from framed will hanging on wall.] It's right there. I'll read it into the record. In the codocil to his will, C. K. McClatchy, among other things, said,

"Issues, of course change. But where the fundamental issue of right and wrong arises, it has never been difficult for the McClatchy newspapers to make their choice, and it should not be difficult in the days to come for those who succeed me to choose the right.

"One fundamental issue will never change and that is the vital issue of government ownership. I want the McClatchy Newspapers to battle for the principle at any and all times no matter at what odds. I want them to maintain ever their freedom of action and their absolute independence.

Jones: "My last injunction to those who, after my passing, will be in charge of the policies of these newspapers is to ally themselves with no political party, to be fair to all, to decide questions by the light of principle, never under the slavery of petty or partisan politics."

That is important because it often comes up in political campaigns. People say that the Sacramento Bee's policies are being dictated by a ghost, and they quote this section from his will.

Fry: [Humorously] Well, I guess that is as good support as any for your policies! [Laughter]

At the time of this 1942 campaign was C. K. McClatchy alive?

Jones: No, he died in 1936 in April. Warren was so, we thought, milk-and-water on the issue of public ownership that we just were afraid, or I was and the owners of the paper agreed with me, that it might be flirting with dynamite if we got him in the governor's chair. Of course we knew where Olson stood. We didn't support Olson.

Fry: You didn't?

Jones: No, we never supported Olson for governor. But we editorially endorsed a lot of his actions. Of course he was a strong believer in public ownership. He was violently opposed to what we in those days called "The Power Trust." C. K. in his editorials and his "Private Thinks" always referred to it as "The Power Trust."

Fry: Was this a combination of private interests in California?

Jones: Yes. Not only in California, but throughout the nation.

Fry: Did any other of the controversial things that had arisen when Earl Warren was attorney general figure in the 1942 election? Such as his attitude about the Mooney pardon, and his strong advocacy for war preparedness, civil defense.

Jones: Yes.

Fry: And the Japanese relocation happened while he was still attorney general, after Pearl Harbor.

Jones: We supported all those things.

McClatchy Will Defines Future Policy Of Papers

IN A CODICIL to his will filed in the superior court to-day, the late Charles K. McClatchy, editor and owner of the McClatchy Newspapers, defines the policies that shall govern the future conduct of the papers.

Expressing the "utmost faith and confidence" in those whom he entrusted with The Sacramento Bee, The Fresno Bee and The Modesto Bee, McClatchy declared in the codicil:

It is my hope and, so far as it can be made so, it is my will and my last solemn direction to those whom I entrust with the newspapers to which I have devoted my life, that the McClatchy Newspapers continue in the future as they have always been in the past,—real tribunes of the people, always fighting for the right no matter how powerfully entrenched wrong may be.

I want them to be the friend of the under-dog whenever the under-dog is in the right. I want them to be just at all times and to fear not.

Issues of course change, but where the fundamental issue of right and wrong arises it has never been difficult for the McClatchy Newspapers to make their choice, and it should not be difficult in the days to come for those who succeed me to choose the right.

One fundamental issue will never change and that is the vital issue of government ownership. I want the McClatchy Newspapers to battle for that principle at any and all times no matter against what odds.

I want them to maintain ever their freedom of action and their absolute independence.

My last injunction to those who, after my passing, will be in charge of the policies of these newspapers is to ally themselves with no political party, to be fair to all, to decide questions by the light of principle, never under the slavery of petty or partisan politics.

Fry: And then he reorganized the attorney general's office, too. [Laughs] Well, even before he went in, he'd done that.

Jones: Yes. And we supported him on his crime commission.

Fry: When he was governor?

Jones: Yes.

Fry: Did you support him on being against the Mooney pardon?

Jones: We were violently opposed to a pardon for Mooney. Mooney and Billings. I think C. K. McClatchy wrote more editorials on the Mooney-Billings case than any five editors in California! He wrote reams!

Campaign and Other Supporters

Fry: Do you remember in 1942 the fact that Earl Warren did get a small sum (at least small by today's standards, I think it was \$7,500) from the Independent Oil Company for his campaign, and this had created some sort of a problem. Do you remember anything about that?

Jones: I don't recall.

Fry: I was also interested in a picture of Earl Warren's campaign supporters. We have a few names of people, in San Francisco, primarily. Let's see -- Charlie Blythe, Jerd Sullivan at Crocker Bank, Mr. Dolan, J. R. Knowland. And, I suppose, Feigenbaum?

Jones: Yes.

Fry: Our information is that these are the men who could guarantee a kind of nucleus fund, on which a candidate could start a campaign. The southern leaders would usually try to match this in order to get a campaign going. In this way, not only a governor, but many candidates for the legislature would get their start. Does that ring true to you?

Jones: Well, Warren, after he became governor, wasn't much of a political organization man. The Republican State

Jones: Central Committee and the Republican groups were quite upset with him all the time, because he said, "The hell with you, I'll run my own campaign!" He, a lot of times, almost ignored them! Because his strength, you know, in those days lay in the Democratic voter. If he couldn't get the Democratic votes he couldn't be elected governor. He wouldn't have enough, because in those days registration was almost two to one Democrat, and Warren played it non-partisan. Outside of, maybe, leading these Republican delegations to the presidential conventions, why he practically ignored the party. So much so, that in running for governor, the opposition said he should have joined the Democratic party. He offended especially, the conservative wing of the Republican party. And those people that you mentioned in San Francisco, outside of Feigenbaum, were very conservative. That's one reason why we were a little apprehensive about Earl Warren when he first ran for governor, because of the personnel of his campaign committee. Practically all of them were conservatives, as I recall.

Fry: Did Ford Chatters work on that 1942 campaign?

Jones: Well, I don't know. But I know that in his first campaign, a lot of Warren supporters were the conservatives.

Fry: In his second campaign he won both the primaries for governor.

Jones: That was against Kenny.

Fry: Kenny, yes. I wonder if you can clear up any of the question marks about that.

Jones: Kenny was the attorney general at the time he ran against Warren. Kenny, a Democrat, was real popular with a lot of the progressives. As a matter of fact, a lot of people called him a communist, still do. Warren won both party nominations at the primary because he was at the height of his popularity then and we had the crossfiling. You could vote for a Republican or Democratic candidate for the nomination, see. Kenny conducted a very inept campaign -- he made a lot of wisecracks, he's full of wisecracks, you know.

Fry: Yes, he's irrepressible.

Jones: He made a couple that offended the women voters.

Fry: Really?

Jones: Yes. In this day and age you'd have said he was blasé, but in that day -- it was something of a delicate nature concerning sex and women and so forth.

Fry: Oh, was that his remark asking Warren if this was a campaign or a fertility contest? With Warren trotting all his children out? [Laughs]

Jones: I know that he made a lot of cracks just like that throughout the campaign.

He just was running against a flood-tide, and Warren was so popular! Particularly among the Democrats. He beat Olson and his popularity just grew by leaps and bounds, til in the latter part of his term, you know, President Harry Truman said Warren should be a Democrat.

Fry: What I don't understand is where was the Democratic money coming from that went into Warren's campaign? Bob Kenny mentioned to someone that, in the middle of the campaign, he wasn't doing any good at all because Warren had dried up all his money, all the sources.

Jones: Well, I don't know. They had Democratic Clubs for Warren, but I can't remember just where the money came from. You've probably talked to Verne Scoggins?

Fry: Not yet.

Jones: Well, you ought to talk to him. He was Warren's executive secretary, and then another executive secretary earlier was William Sweigert, the federal judge in San Francisco. He can answer a lot of those questions.

Pop Small should remember a lot of these things, too. He goes into detail in the articles he's been writing for the McClatchy papers. He can't depend on memory; he must have kept a diary.

Well, Scoggins was the managing editor of the Stockton Record and then he was appointed by Warren to the railroad commission (now the public utilities commission. Don't know where he is located now.

Fry: Well, he is in San Francisco, but he is handling the current proposition campaigns for Whitaker and Baxter and he is very busy -- like yourself.

Jones: Well, Judge Sweigert ought to be able to fill you in with a lot of things, and Tommy Kuchel. Have you ever talked to Paul Leake?

Fry: No, we haven't.*

Jones: Paul Leake was the editor of, and his family owned, the Woodland Democrat. Warren appointed Paul Leake to the State Board of Equalization, and he isn't running this time because he is eighty years old. He lives in San Francisco. He is a Democrat. He can give you a lot of things why the Democrats were for Warren.

Fry: And he was active in Earl Warren's campaign?

Jones: Oh yes, he supported Warren. Warren, as I say, appointed him to the State Board of Equalization, in a district that included about twenty-six valley counties.

Another man who could give a lot of background on Warren, especially on his public health record, is Lawrence Arnstein of San Francisco.

Fry: He has a nice fat volume already recorded for us.

Jones: Has he? He tells in Power to the Press how he got financial aid for his child welfare centers, as well as about the strong support of Governor Earl Warren. He's a very strong admirer of Warren's. He might give you some history of his fight there on that health legislation. He's a man over eighty years old, but he has a tremendous memory. Of course he got a doctorate, you know, from the University of California for what he has done for public health.

Have you talked to Dr. Nathan (Jim) Hale? Here in Sacramento?

Fry: No.

Jones: He's also about eighty. He was the president of the California Medical Association, and he opposed their policy and supported Warren's policy for health insurance. He could tell you why the doctors were so successful in fighting health insurance. He's had a couple of

*Although Leake declined to be interviewed for this project, he willingly prepared a statement on his public life which appears as an appendix in Earl Warren and State Finance, a collection of oral history interviews on finance. Editor.

Jones: strokes, but his mind is very active. He was Warren's doctor, too. Warren says Jim saved his life. He's just nutty about Warren, and Warren is nutty about Jim Hale. Whenever Warren comes to town, we always had to go by and see Dr. Hale.

V FURTHER COMMENTS

The Bee Breaks the Megladdery Case

Fry: I know you have another appointment in just a few minutes. So, to be sure we get it on tape, what was it you wanted tell me about the Megladdery case?

Jones: It was when Warren first came to town as attorney general in 1939 that I was informed by a member of the Board of Prison Terms and Paroles that Megladdery, the private secretary to the previous governor, had been selling pardons. So I told Warren about it the first day that he got into town. Here are some letters written by him certifying to those facts.*

Fry: I certainly would like to see them.

Jones: Warren wrote: [reading] "I am enclosing herewith a letter concerning your discovery of evidence in the Megladdery case. In bringing it to the attention of the public authorities you rendered a distinct service to the people of this state."

Fry: And you're the one who first told him about that?

Jones: Yes. Joe Stephens and I.

Fry: And who was Joe Stephens?

Jones: He was a member of the state parole board. He said that this Megladdery was selling pardons. As I remember it, he was indicted, and later he was appointed a superior

*See Appendix.

STATE OF CALIFORNIA

Legal Department.

State Building,
San Francisco, California.
February 24, 1939.

Mr. Walter P. Jones,
Editor The Sacramento Bee,
Sacramento, California.

Dear Walter:

I am enclosing herewith a letter concerning your discovery of the evidence in the Magladdery case. In bringing it to the attention of the public authorities you rendered a distinct service to the people of this State. So often matters of this kind are permitted to smoulder without being called to the attention of the authorities with the result that the public loses confidence in the integrity of its officers.

In these trying times there is nothing more important than to make our institutions worthy of universal respect and, while a prosecution of this kind is a distinct shock to many people, I am convinced that in the long run it does a great deal of good.

With best wishes, I am

Sincerely,

EARL WARREN

Attorney General.

EW:JF

STATE OF CALIFORNIA
Legal Department.

State Building,
San Francisco, California.
February 24, 1939.

TO WHOM IT MAY CONCERN:

This is to certify that Walter P. Jones, editor of the McClatchy Newspapers, of which The Sacramento Bee is the parent, came to my office on January 3rd, 1939, in company with J. H. Stephens, a member of the State Board of Prison Terms and Paroles, and gave me information that started the pardon bribery probe in the Leddy case that resulted in indictments by the Alameda County Grand Jury.

Mr. Stephens informed me that he got his first tip on the alleged pardon bribery involving Mark Lee Megladdery from Mr. Jones.

During the grand jury hearing, Mr. Megladdery resigned as Superior Judge of Alameda County, a position to which he was appointed by former Governor Frank F. Merriam, without having heard a case.

Very truly yours,

EARL WARREN

Attorney General

EW:JF

BOARD OF PRISON TERMS AND PAROLES
STATE OF CALIFORNIA.

State Prison at San Quentin,
Court Smith, Warden.

February 25th, 1939.

TO WHOM IT MAY CONCERN:

This is to certify that Walter P. Jones, Editor of the McClatchy Newspapers, of which The Sacramento Bee is the parent, gave me the original information on which the State Board of Prison Terms and Paroles made its investigation into the alleged bribery in connection with a pardon for Clarence (Chick) Leddy.

In company with Mr. Jones, I presented the facts, as developed by Jones and the Board's investigation, to Attorney General Earl Warren, in Sacramento, on January 3rd, 1939.

The story of the alleged bribery in connection with the Leddy case first was published in The Sacramento Bee and its publication resulted in the Alameda County Grand Jury investigation and its subsequent indictments.

Signed: J. H. STEPHENS

MEMBER STATE BOARD OF PRISON TERMS AND PAROLES

Jones: Judge in Alameda County.

Fry: And he was even in office, for a very short time!

Jones: Yes, and then they threw him out.

Fry: The man was determined to go ahead and be a judge, according to my reading of old newspaper stories.

Jones: Let's see now. What governor was that under? I guess it was Merriam. That was the first day when Warren came to Sacramento as attorney general, and Olson had begun his term as governor.

Fry: When you took this to Warren, did you know what his reaction would be?

Jones: No, no. I sent word to him that I wished he'd call me immediately upon his arrival in town. When he arrived in town I told him over the telephone. He said, "Thanks, I'll get into it right away." And he started right in. These letters he wrote to me afterward. [showing the letters] And that letter's from Joe Stephens.

More on the 1952 Convention

Fry: Now, what else can you tell us about the 1952 convention?

Jones: Well, I didn't cover any of that personally. I made a few notes here about that.

Senator Knowland was the head of the delegation. They went on a special train. Nixon got on the train in Denver. He had been East, and everybody suspected that he had been East campaigning for Eisenhower. He went through the train and shook hands with all the delegates, like he, instead of Warren, was the candidate for President, you know. And I've even heard the stories, and they haven't been denied, that he tried to get some of the delegates to sign a petition in favor of Eisenhower. He said a lot of nice things about Eisenhower to the delegates.

I know that Warren, personally, thought that Nixon double-crossed him, because in his own book Nixon says that he was for Eisenhower before May 8th, when he went to a

Jones: dinner with Governor Dewey in New York.* On April the 7th he had filed his oath with the secretary of state that he would support Warren for President until Warren released him, and those were qualified on April the 10th. So in April he was taking the oath that he would be for Warren, and in his book he said that he was for Eisenhower before the May 8th dinner! So Warren was awfully upset about it. He doesn't talk much about it, but I know he thinks that Nixon double-crossed him.

And then, within two or three hours after Eisenhower was nominated, he announced Nixon as his choice for vice-president. So everybody in the Warren camp suspected that he double-crossed Warren in a deal to throw California support to Ike.

Fry: Did Warren call you, or talk to you during that convention to let you know he was upset about this?

Jones: No, no.

Fry: Did you have any idea of whether Warren would accept a vice-presidency?

Jones: He told me that he wouldn't accept the vice-presidency, even before when he accepted it under Dewey in 1948. A couple of days before he accepted that nomination he said, "Under no circumstances, Walter, will I accept the vice-presidency nomination." And then when he came back I talked to him about it, and he said, "Well, the pressure was just so great, and I felt that I owed it to the party, and I couldn't say no."

But he never was happy. I think that that's a guilt he has on his conscience -- the fact he accepted that vice-president nomination because he was very unhappy in the campaign.

As I told you before, when he called me in Minnesota, he said, "They just won't let me speak my mind."

Fry: They had him muzzled?

Jones: They had him muzzled, and he was very, very unhappy. As the campaign progressed I don't think -- I know -- from what he said to me, that he didn't like Dewey.

*Six Crises, Richard M. Nixon, Doubleday & Co., New York, 1962.

Jones: Dewey didn't wear well with him.

Fry: He and Dewey had had a few meetings within the two years before that --

Jones: Yes, at the governors' conferences.

Fry: I wondered if he felt that he was on the same wavelength with Dewey when all this first started in 1947?

Jones: I don't think so. As he told me, he said, "The reason I accepted the nomination was because the GOP leaders put it to me so strongly, that I just thought it was my duty to accept it." And I think he regretted it from that time. Maybe he'll say so in the autobiography that he is writing.

Fry: Did he say anything to you about whether he felt that it was necessary to have a progressive Republican in a position of power in that 1948 campaign?

Jones: No, but I knew [from] some of the progressive things he advocated that they wouldn't let him talk about them. They virtually wrote his speeches for him.

Fry: Well, I know you have to go to an appointment. Thank you.

Transcriber: Arlene Weber
Final Typist: Gloria Dolan

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BOX 1156, OAKLAND

EARL WARREN

DISTRICT ATTORNEY OF ALAMEDA COUNTY

Candidate for
Attorney General of California

5-1

Oakland, California

October 2, 1938.

Mr. Walter Jones, Publisher
Sacramento Bee,
Sacramento, California.

Dear Walter:

Now that the Secretary of State has officially advised me that I secured the Republican, Democratic and Progressive nominations, I desire to thank you again for being most instrumental in accomplishing that result. The vote which I received in the counties where your publications have such a great influence was a decisive factor in the final results.

I also appreciate that your militant support of my candidacy was somewhat of a departure from your usual Primary practice and I assure you that if finally elected I will give the very best that is in me to merit your confidence.

Hoping to see you soon, and with best wishes, I am

Sincerely,

EW:AK



Dear Earl:

Congratulations on your marvelous victory! You accomplished what seemed to be the impossible in the face of the overwhelming Democratic registrations. More power to you.

Enclosed is an editorial on your victory, which was used today in the three McClatchy newspapers.

When we visited the other day, I forgot to call to your attention a couple of local matters on which you should be informed. However, there is no urgency about either of them. I will give you the dope when I see you in the near future, I hope.

Kindest personal regards.

Sincerely yours,

Walter P. Jones,
Editor

The Honorable Earl Warren
Governor of California
Sacramento, California

June 5, 1946



EARL WARREN

Sacramento, California

June 21, 1946

✓

Mr. Walter P. Jones
Editor
Sacramento Bee
311 - 7th Street
Sacramento, California

Dear Walter:

Thanks for your letter of congratulations which I could have answered sooner except for the fact that I have had little time in the office since election day. I am still filling engagements made for me during the campaign and find that I continue to be on a campaign schedule.

I want you to know how much I appreciate the very generous support of the Bee not only during my campaign but also during the turbulent legislative sessions and at other critical times. I hope to be able to merit the continued confidence of your publications and yourself.

With best wishes, I am

Sincerely,

A handwritten signature in cursive script that reads "Earl Warren".

Governor

W:go

INDEX -- Walter P. Jones

American Medical Association 22
 Arnstein, Laurence 41
 assembly, California
 Judiciary Committee 11

Bell, Theodore 13
 Blythe, Charlie 38
 Borah, William 13
 Brown, Edmund G. "Pat" 6, 9, 16-17, 22
 Butler, Randy 8

Calaveras Cement Co. 4
 California Medical Association 5, 25, 31, 41
 California State Board of Prison Terms and Paroles 43
 California State Crime Commission 6
 California State Department of Corrections 15
 California State Public Utilities Commission 40
 California State Railroad Commission 6
 campaign finance 38-39
 Cavanaugh, Bart 4
 Central Valley Project (see Water) 14, 35-36
 Chatters, Ford 39
 civil defense 37
 Congress of Industrial Organizations [CIO] 31
Congressional Record 33
 conservation 14
 Constitution, U.S. 15
 Cooney, Pat 28
 Coolidge, Calvin 24
 corruption 18, 43
 crime 15
 Crocker Bank 38
 crossfiling 22, 39

Dean, George 14, 36
 Democratic Party 7, 18, 39
 Dewey, Thomas E. 21, 45-46

East Bay Municipal Utility District 33
 Economy Bloc 34-35
 Eisenhower, Dwight D. 20, 44-45
 election campaigns
 1942 35-39
 1948 21, 45
 1952 3-5, 13, 28, 44-45
 electric power companies 36

Feigenbaum, Joe 38
 Fox, Tom 7

Gibson, Phil 18
 Gillett, James N. 34
 governors' conferences 46

Hagerty, Charles J. 19
 Hale, Dr. Nathan 5, 24-25, 41
 Harding, Warren 13
 Harris, Dr. Junius 5
 health insurance 18, 21-22, 24-25, 30-31, 41
 Herrin, William F. 18-19, 23
 highways 31
 Hoover, Herbert 24, 36
 Howser, Fred N. 15, 28
 Hughes, Charles E. 23

Independent Oil Company 38

Japanese-American relocation 37
 Johnson, Hiram 3, 9, 13, 17, 18, 23, 30-31, 33-34, 36
 Jones, William Moseley 28
 Jordan, Frank 4, 8, 18-19, 30
 Jordan, Frank M. 19
 Jordan, Robert 19
 judges, appointment of 6, 16-17, 18, 22

Kegley, Carl 28
 Kenny, Robert 25, 39
 Knight, Mrs. Goodwin 9
 Knowland, Joseph R. 33-34, 38
 Knowland, William 32-34, 44
 Kuchel, Thomas 32-33, 41

LaFollette, Robert 23
 law enforcement 11, 14-15
 League of Nations 13
 Leake, Paul 41
 legislature, California 9, 15, 18, 19, 30-33
 lobbying 4, 19, 30
 Lodge, Henry Cabot [1850-1924] 13
 Lynn, Wallace 5, 9

Marysville Appeal 2
Marysville Democrat 2
 McClatchy, C.K. 1, 13, 15, 23, 25, 36-38
 McClatchy, Eleanor 13
 McClatchey, James 36
 McClatchy newspapers 1, 2, 6, 12-14, 15-17, 35-37
 McDermott, Jack 4
 McGee, Richard 15, 25
 Megladdery, Mark 43-44
 Mellon, Thomas 5
 Merriam, Frank 44
Mooney-Billings case 37-38

New York Times Magazine 14
 Nixon, Richard M. 20-29, 44-45
 nonpartisanship 21-23, 39

Oakland Tribune 33
 Oakley, Jim 6
 oil industry 31
 Olney, Warren 6
 Olson, Culbert 7, 14, 17-18, 35, 37, 40

Phillips, Herbert "Pete" 6, 15, 24
 politics, local 4-5
 pollution control 31
 prison reforms 15
 public ownership of power 33, 36-37
 public relations, political 22-23, 31, 40

Quinn, John 13

Rafferty, Max 32
 reapportionment, California 26
 Republican Party
 national committee 21, 23, 45-46
 national conventions (1938) 28
 (1952) 20, 44-45
 State central committee 22, 24, 39
 Richardson, Friend 34

Sacramento Bee 1-2, 11-12, passim
Sacramento Police Department 2
Sacramento Star 1
San Francisco Examiner 2, 11, 15
 Scoggins, Verne 23, 40
 Senate, U.S. 33
 Siegel, Bugsy 15
 Small, Merrell F. ("Pop") 40
 Socialist Party 23
 Southern Pacific Company 13, 17-19, 23, 34
 special interests 12, 31, 36
 steamship companies 12
 Stephens, Joe 43-44
 Stephens, William D. 34
 Stockton Record 40
 Sullivan, Jerd 38
 Supreme Court, U.S. 14-15, 25
 Sweigert, William 6, 40-41

Taft, Robert 20
 trucking interests 31
 Truman, Harry 40

University of California 41
 urban problems 26-27

voting 39

Warren, appointments made by 6-7, 16-17, 18, 22, 32, 41
 Warren, Earl 3, passim
 Warren, Nina [Mrs. Earl] 3, 8
 Warren family 9
 water 14, 35-36
 Whitaker & Baxter, Inc. 40
 Whitaker, Clem 22
 White, Henry 1
 Wilkins, Phil 4
 women voters 39-40

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